Objections to Traffic regulation Order - West View / Ealees, Littleborough

Executive Summary

1.1 A request was received from Pennines Township for the Council to investigate the introduction of parking restrictions at the junction of Ealees Road and West View, Littleborough. It was reported that occasionally vehicles park in the vicinity of the junction, which obstructs the passage of goods vehicles. Large goods vehicles use the junction to access Ealees Mill, which is located at the end of Ealees Road.

1.2 New parking restrictions were drafted and approved by ward members. The restrictions were formally promoted and during the consultation period the Authority received 2 letters of objection to the proposal.

1.3 The objectors report that the restrictions will unnecessarily reduce the number of available on-street parking spaces for residents and visitors, have a detrimental effect on the look of the area and request that a residents parking scheme is introduced instead.

1.4 The report outlines the reason for the proposal, the objections received and a response to the objections.

Recommendation

2. The Committee should consider whether the proposed Traffic Regulation Order, Borough of Rochdale ((Civil Enforcement of Traffic Contraventions) (Various Streets) (Pennines Township) Order 2008) (Amendment) (No.63) Order be implemented as advertised, be amended, or be abandoned in light of the representations received, which are outlined in Appendix B of this report. It is the recommendation of Officers that the objections be dismissed and the proposal introduced as advertised.

Reason for Recommendation

3. Copy of Statement of Reasons
A request has been received from Pennines Township for the Council to investigate the introduction of parking restrictions at the junction of Ealees Road and West View, Littleborough. It is reported that occasionally vehicles park in the vicinity of the junction, which obstructs the passage of goods vehicles. Large goods vehicles use the junction to access Ealees Mill, which is located at the end of Ealees Road.

West View is a residential street located to the south-east of Littleborough town centre. Ealees Road crosses West View at its southern end. Both highways provide the only access to the industrial premises of Ealees Mill.

Fothergill Engineered Fabrics Ltd operate from Ealees Mill. Representatives of the company have expressed a desire for parking restrictions to be introduced at the junction. They report that delays in the delivery of goods to the mill has a detrimental effect on the ability of the business to operate effectively.

It is reported that the obstructive parking is often associated with people leaving their vehicles and going walking in the area. This presents a problem as the vehicles are often left for long periods and the goods vehicle drivers cannot locate the drivers.

There are currently no existing parking restrictions in the area.

It is proposed to implement prohibition of waiting restrictions on the north-east side of the access road leading to Ealees Mill from its junction with West View for a distance of 15 metres in a south-easterly direction and on the south-west side for a distance of 23 metres in a south-easterly direction, and on the north-west side of West View from its junction with Ealees Road for a distance of 36 metres in a north-easterly direction and on the south-east side from its junction with the access road to Ealees Mill for a distance of 5 metres in a north-easterly direction

The proposed restrictions will prevent parking near to the junction allowing goods vehicles to negotiate the junction and gain access to the Ealees Mill unhindered.

3.2 To address the issues reported, it is necessary to introduce the proposed Order as originally advertised (see Appendix A).

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<th>Key Points for Consideration</th>
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<td>4. During the consultation period the Authority received 2 objection letters.</td>
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<td>4.1 To comply with the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 the Authority must consider all objections submitted during the consultation period of 21 days before ‘Making’ a Traffic Regulation Order.</td>
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<td>4.2 It should be noted that in considering the report, the proposed Order is</td>
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deemed non-strategic in nature and should be dealt with in accordance with Section 8.2-3 of the Scheme of Delegation to Township Committee. Committee has delegated power to confirm or abandon the proposals and the Order.

4.3 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 Council, acting in its capacity as Highway Authority, have 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.

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

**Alternatives Considered**

4.5 The Committee could consider recommending that the proposal be amended or abandoned.

4.6 Should Committee decide not to introduce the restrictions proposed then the issues with parked vehicles, which were reported to Pennines Township, will not be addressed.

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<th>Costs and Budget Summary</th>
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<td>5. The cost of the proposed Traffic Regulation Order will be met by Pennines Township Fund. The estimated cost is £4500.</td>
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<th>Risk and Policy Implications</th>
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<td>6. The Council has a statutory duty to ensure that its highways operate safely and efficiently, for all traffic including pedestrians.</td>
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<th>Consultation</th>
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<td>7. Consultation required by the Local Authorities’ Traffic Orders, (Procedure) (England and Wales) Regulations 1996 has taken place.</td>
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7.1 The Emergency Services, Transport for Greater Manchester, The Freight Transport Association and the Road Haulage Association were consulted on 2\textsuperscript{nd} August 2017.

7.2 Notices of intention were posted on site and published in the local newspaper on 2\textsuperscript{nd} August 2017.

7.3 The objection period ran until 23\textsuperscript{rd} August 2017.

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<th>Background Papers</th>
<th>Place of Inspection</th>
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<td>None</td>
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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 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

West View, Littleborough Lakeside Ward

n(i) the north-west side from its junction with Ealees Road for a distance of 36 metres in a north-easterly direction

n(ii) the south-east side from its junction with the access road to Ealees Mill for a distance of 5 metres in a north-easterly direction

Access Road to Ealees Mill, Littleborough Lakeside Ward

n(i) the north-east side from its junction with West View for a distance of 15 metres in a south-easterly direction

n(ii) the south-west side from its junction with West View for a distance of 23 metres in a south-easterly direction

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 23rd August 2017, quoting H60/1248.

Dated this 2nd day of August 2017

David Wilcock
Acting Director of Resources
Resources Directorate
Rochdale Borough Council

Number One Riverside
Smith Street
ROCHDALE
OL16 1XU
APPENDIX B – Objections

Objection 1

I wish to object to the above notice. I have been informed by my solicitor that parts of West View and Ealees Road are unadopted and not under council control. Also the problem isn't with local residents parking, but with other people coming into the area to walk or walk their dogs. Local residents understand the Mill needs access for wagons and park accordingly. I feel the problem would be better addressed by implementing a residents parking permit zone, which would make the already limited parking available to local residents. Parking has to be paid for at Hollingworth Lake visitors centre, hence that's why we have the problem here. Lake Side, Millbury Drive, Merlin Close all enjoy this privilege. Therefore why not Ealees? I can foresee escalation of anger between residents and Hollingworth sightseers if the parking becomes even more limited, which is clearly unfair on local residents. By belligerently painting double yellow lines down Ealees it doesn't solve a problem just simply pushes it somewhere else. Ealees is a lovely rural area which is why I purchased a grade 2 listed property here. I feel it would directly affect the value of my cottage by being fully enveloped by yellow lines and if this were to happen I would be seeking compensation. As part of ownership conditions I have to keep the original external appearance of my property - Would bright double yellow lines be in keeping? I think not.

Objection 2

I am writing with regards to the planned no waiting (double yellow/ pink) lines directly outside 1 Ealees and the plot of currently disused land. There has been issue with wagons from Fothergills VERY occasionally accessing (less than twice per year) which has been caused as correctly pointed out by the occasional person parked on the pavement/ roadside on the North West side of West View just next the intersection with Oak St (and the rd to the factory).

The issue is my father has prostate cancer and undergoing several bouts of chemotherapy, he has been unable to walk properly for some months, the ONLY place he can park is next to 1 Ealees, parking is extremely, extremely restricted anyway with more residents with cars than space already, so parking restrictions will only increase the already past breaking point issue. My father cannot walk more than that length, and even if he could be dropped off then where would my 78 year old mother park, 500 meters away? The road will be fully parked with these new restrictions, the only place left is outside of No1 Ealees on this side.

If you study the map/ image attached, the car which is parked in error that blocks wagons EVERY SINGLE TIME is in RED

The swing of the wagons so it doesn’t hit 1 Ealees say travelling North from the factory starts well to the South West on Ealees (wagon route blue)

Access gate and path that no-one will block anyway, no need for parking restrictions (in brown)
The ONLY spot my critically ill father can park to visit us at 2 Ealees is in the **Purple** shaded spot.

Areas in **pink** I think should be controlled by local resident only parking outside the hours of 8am-6pm Mon - Fri

There is an access path to 1,2,4 Ealees so no-one can block that anyway but that area does NOT impede wagons in any way, and if that very small section outside of No1 Ealees was made unnecessarily into a parking restricted area, I feel that it would be directly adversely affecting our lives to an unacceptable degree in not allowing myself and wife to be visited by my critically ill father who CANNOT park anywhere else.

I am in agreement personally that the North West side of West View from the intersection with Oak St, up to the care home could be turned into double pink controlled zone OR what would be more sensible would be a resident parking section with no parking 8am – 6pm. (Bin wagons do not have an issue accessing at any time – just the huge, huge lorries that Fothergills tear up the road with – (incidentally there is a pollution problem that needs to be reported, you may well have noticed the terrible, terrible smell when walking around Hollingworth Lake of burning rubber, caustic sensation it is fairly unbearable. That has drifted right up the valley, through Ealees Wood and to Hollingworth Lake Country-Park. (I understand they were fined for water pollution when dead fish were found dumping toxic sewage waste)) My point being there is large amount of noise/ smell/ lack-of-care of the local community without adversely affecting the neighbourhood any more than absolutely necessary, if this was imposed on this particular spot it would be biased in the extreme not taking into account the disruption the factory already causes.

We would also accept a local resident only parking section (for 1, 2 Ealees) in that purple section as previously indicated on the map

Thank you in advance for your understanding.
APPENDIX C – Response to Objections

Traffic Regulation Orders (TROs) can be applied to un-adopted as well as adopted highways. The same highway rights, rules and regulations apply to un-adopted roads as with adopted roads, the only difference being the responsibility for surface maintenance.

Residents Only Parking (ROP) schemes are introduced in residential areas to prevent vehicles which are not native to the local road network from parking for prolonged periods. Requests are measured against the Council’s approved Residents Parking Policy. The Policy states that ‘schemes should generally be considered on an area wide (zonal) basis so that they do not result in the initial problem being transferred on to the adjacent highway network or into adjacent residential areas’. Smaller areas such as this therefore cannot be considered. The Council receives many requests for these privileged schemes but the policy is set to reserve schemes to locations which suffer significant problems over a wide area and where a scheme is considered workable.

There are many un-restricted parking areas available which are closer to Hollingworth Lake. Therefore, it is doubtful that visitor parking has displaced to Ealees because of parking charges at the lake. Further to this, if a residents parking scheme was introduced in this area, the proposed restrictions would still be required to be introduced within the zone to maintain access to the mill. Prohibition of Waiting restrictions can still exist within the boundaries of a residents parking scheme.

If a TRO is introduced by the Highway Authority, there is no legal mechanism for residents to claim compensation. To lessen any visual impact, there is an option for narrow 50mm wide lines to be applied in primrose colour. These are generally used in conservation areas.

In relation to disabled parking, it must be borne in mind that there are parking places directly in front of the objectors property, which are closer than the location the objector claims is the only place the disabled person can park. If these spaces are occupied by able bodied residents, then presumably the able bodied residents could park elsewhere, thereby reserving space for the disabled person. Further to this, although the location where the disabled person parks may not obstruct HGVs exiting the factory, it would interfere with the path a HGV must take when entering the factory.

The claims that HGVs only access the mill twice per year and that motorists only occasionally park obstructively was not reflected in the site inspections carried out by Council Officers. On the few occasions site inspections have been carried out, HGVs and obstructive parking have been witnessed. (See example photo below)
An alternative to 24 hour waiting restrictions would be to relax the restrictions to operate only Mon-Fri, 8am -5pm. This would allow access for deliveries and allow residents and visitors to park outside these times. However, this would require a number of signs and poles which residents may consider to be unsightly. It may also encourage obstructive parking outside the operational hours including parking directly on the junction.

The objector’s comments on the pollution issue have been passed to officers on the Council’s Public Protection Service who will respond separately.

In conclusion, the restrictions proposed are considered to be the minimum length necessary to solve the problem reported.