

Report to Heywood Township Committee



Date of Meeting	27 th November 2017
Portfolio	Councillor Neil Emmott Cabinet Member for Housing & Environment
Report Author	Andrew Cowell
Public/Private Document	Public

Objections to Traffic Regulation Order - On-Street Permit Parking Places (Disabled Bay) (24 hours) - Heywood

Executive Summary

- 1.1 The Council intends to create individual on-street permit parking bays principally for use by disabled badge holders. Using this proposed mechanism for permit bays allows the Council to charge individuals or organisations a fee for administering the process.
- 1.2 Applications and locations were measured against the Council's approved disabled parking policy and road safety criteria.
- 1.3 The restrictions for approved applications were formally promoted and during the consultation period the Authority received 2 letters of objection to the proposal. Both objections relate to the application at 48 Heywood Hall Road.
- 1.4 The objectors report that the applicant does not drive and that the disabled person is unable to get in and out of a car. Therefore, the bay is not necessary as it would only be used by the applicant's able bodied wife. It is reported that the applicant's wife has in the past placed cones and an unofficial disabled sign outside the property in an attempt to reserve a space for herself. The objectors therefore believe that the applicant has attempted to deceive the Council by making the application.
- 1.5 The report outlines the reason for the proposal and the objections received.

Recommendation

2. The Committee should consider whether the proposed Traffic Regulation Order, Borough of Rochdale ((Civil Enforcement of Traffic Contraventions) (Various Streets) (Heywood Township) Order 2008) (Amendment) (No.50) Order be implemented, as advertised, or altered in light of the representations received, which are outlined in Appendix B of this report.

Reason for Recommendation

3. Copy of Statement of Reasons

The Council intends to create individual on-street permit parking bays principally for use by disabled badge holders.

Using this proposed mechanism for permit bays allows the Council to charge individuals or organisations a fee for administering the process.

Applications and locations have been measured against the Council's approved disabled parking policy and road safety criteria.

This report details the location of the bays to be introduced within each Township area.

It is proposed to introduce permit parking bays for qualifying disabled badge holders at the following locations:

- Hind Hill Street, Hopwood Hall Ward
the east side from a point 87 m south of its junction with Egerton Street for a distance of 5 m in a southerly direction
- Marlborough Street, Hopwood Hall Ward
the north side from a point 53 m west of its junction with Gregge Street for a distance of 5 m in a westerly direction
- Banff Grove, West Heywood Ward
in the westernmost parking bay on the west side from a point 57 m south of its junction with Balmoral Drive for a distance of 5 m in a southerly direction
- Heywood Hall Road, North Heywood Ward
on the south side from a point 50 m east of its junction with Queen's Park Road for a distance of 5 m in an easterly direction

Key Points for Consideration

4. During the consultation period the Authority received 2 objection letters.
 - 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.
 - 4.2 It should be noted that in considering the report, the proposed Order is 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. There are no parking rights for individual residents. The Council are not duty bound to provide disabled parking bay facilities on the highway.

- 4.4 The criteria requires successful applicants to have a valid blue disabled badge and a supporting letter from their doctor confirming disability and the benefit of having a disabled bay near to the property. Both residents at this address have a valid blue disabled badge and a supporting letter from their doctor has been provided.
- 4.5 If any of the evidence is found to be wrong or changes, the Council reserves the right to revoke the facility at any time.
- 4.6 The Objectors' comments are attached at Appendix B

Costs and Budget Summary

- 5. The cost of the proposed Traffic Regulation Order will be met by existing Revenue Budgets within Traffic Management. The application fees (£2400) will cover part of the expense. The forecast costs are approximately £12,000.

Risk and Policy Implications

- 6. None.

Consultation

- 7. Consultation required by the Local Authorities' Traffic Orders, (Procedure) (England and Wales) Regulations 1996 has taken place.
- 7.1 The Emergency Services, Transport for Greater Manchester, The Freight Transport Association and the Road Haulage Association were consulted on 12th October 2017.
- 7.2 Notices of intention were posted on site and published in the local newspaper on 12th October 2017.
- 7.3 The objection period ran until 2nd November 2017.

Background Papers	Place of Inspection
None	

APPENDIX A – Notice of Intention and plan

BOROUGH OF ROCHDALE ((CIVIL ENFORCEMENT OF TRAFFIC CONTRAVENTIONS) (VARIOUS STREETS) (HEYWOOD TOWNSHIP) ORDER 2008) (AMENDMENT) (NO. 50) ORDER

Various Streets, Heywood

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) (Heywood Township) Order 2008 by inserting the following:-

Schedule No. 9.18 On Street Permit Parking Place (24 hours)

Hind Hill Street, Hopwood Hall Ward

n(i) the east side from a point 87 m south of its junction with Egerton Street for a distance of 5 m in a southerly direction

Marlborough Street, Hopwood Hall Ward

n(i) the north side from a point 53 m west of its junction with Gregge Street for a distance of 5 m in a westerly direction

Banff Grove, West Heywood Ward

n(i) in the westernmost parking bay on the west side from a point 57 m south of its junction with Balmoral Drive for a distance of 5 m in a southerly direction

Heywood Hall Road, North Heywood Ward

n(i) on the south side from a point 50 m east of its junction with Queen's Park Road for a distance of 5 m in an 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 the Customer Services Centre, Heywood Library, L/Cpl Stephen Shaw M.C. Way, Heywood, OL10 1LL 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 2nd November 2017, quoting H60/1252.

Dated this 12th day October 2017



David Wilcock
Acting Director of Resources
Resources Directorate
Rochdale Borough Council

Number One Riverside
Smith Street
ROCHDALE
OL16 1XU

SCALE WITH CAUTION AS DISTORTION CAN OCCUR

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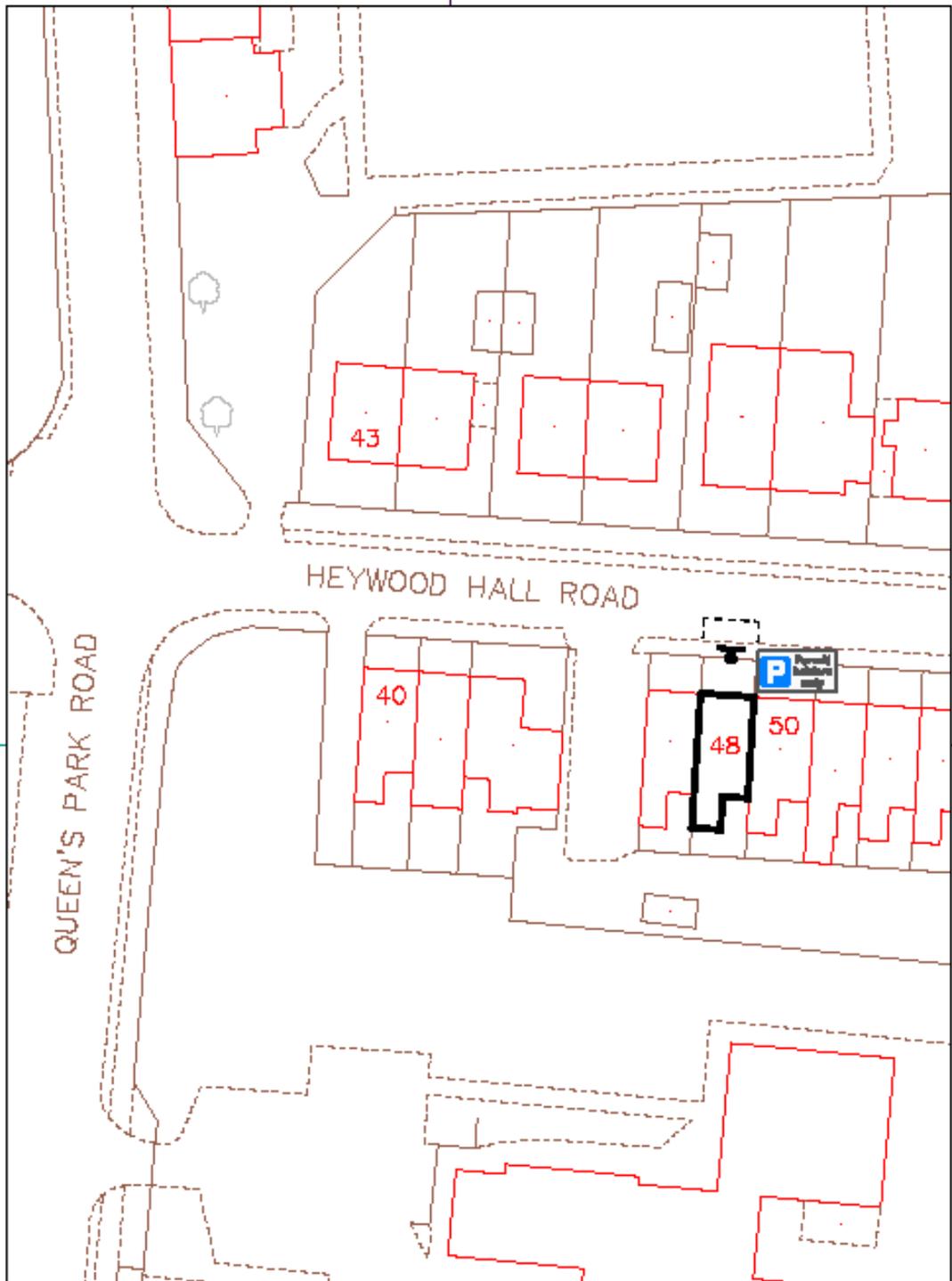
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<p>On Street Permit Parking Place</p> <p>ECONOMY & ENVIRONMENT <small>Ward: K. Wickup</small></p> <p>HIGHWAY NETWORK OPERATIONS <small>Manager: B. Roy</small></p>	<p>Project</p> <p>Permit Parking Bays</p>	<p>Drawn</p> <p>AC</p>	<p>Check'd & Approv'd</p> <p>*</p>	<p>Safety Audit Check</p> <p>+</p>
	<p>Title</p> <p>48 Heywood Hall Road Heywood</p>	<p>Scale</p> <p>1:500</p>	<p>Date</p> <p>13/09/17</p>	
		<p>Bag No.</p> <p>A4/H60/1252/007</p>		

A4

APPENDIX B – Objections

Objection 1

With regard to the above reference regarding the proposal of On Street Permit Parking on Heywood Hall Road, please accept this email as confirmation that we would like to object to this proposal. We have 2 reasons for this and they are as follows:-

- The Blue badge displayed by the driver is for the individual's spouse who has severe Parkinson's disease, he has been unable to either get into any car or be assisted getting into a car for at least 5 years, he is unable to walk, is bed bound at home and wheelchair bound when not in bed, therefore we believe the request for a space is unnecessary for him and will never be used by him. The only vehicle he is able to use is a minibus with wheelchair access or ambulance.
- In addition, we do believe the badge is used regularly by the individual's wife, never him (as detailed he is unable to get to or into the car), so in effect, if the space was instated, she would be parking in the space illegally as she has no right to park in a disabled space as she has no disability.

As an additional point regarding parking, historically (long before he was declared disabled) the individual has placed a parking cone directly outside her property on the road to ensure she has a space when she believes there may be a chance of somebody else parking outside her house, clearly this is also illegal as, as road tax payers, we are all entitled to park wherever we wish, as long as the space is legal to park in and free.

We do believe the individual is progressing this application just to ensure she has a continual parking space and not, as one would expect and hope, to assist her spouse to get out of the house on a regular basis.

Objection 2

In relation to the above reference for the proposal of On Street Parking on Heywood Hall Road, please accept this email as confirmation that we would like to object to this proposal. The reasons for this are as follows:-

The blue badge displayed by the driver is for the individual's spouse who has severe Parkinson's disease, he has been unable to either get into any car or be assisted getting into a car for at least 5 years, he is unable to walk, is bed bound at home and wheelchair bound when not in bed, therefore we believe the request for a space is unnecessary for him and will never be used by him. The only vehicle he is able to use is a minibus with wheelchair access or ambulance. In addition, we do believe the badge is used regularly by the individual's wife, never him (as detailed he is unable to get to or into the car), so in effect, if the space was instead, she would be parking in the space illegally as she has no right to park in a disabled space as she has no disability.

As an additional point regarding parking, historically (long before he was declared disabled) the individual has placed a parking cone directly outside her property on the road to ensure she has a space when she believed there may be a chance of somebody else parking outside her house, clearly this is also illegal, as road tax payers, we are all entitled to park wherever we wish, as long as the space is legal to park in and free.

This person has also been displaying illegal disabled signs outside her house.

We do believe the individual is progressing this application just to ensure she has a continual parking space and not, as one would expect and hope, to assist her spouse to get out of the house on a regular basis.