



Date of Meeting	10 <sup>th</sup> January 2018
Portfolio	Cabinet Member for Housing & Environment
Report Author	Andrew Cowell
Public/Private Document	Public

## **Proposed Experimental Traffic Regulation Order - Bethany Lane, Newhey**

### **Executive Summary**

1. The Highways Service of Rochdale Council was commissioned by Pennines Township Committee to consult with residents of Bethany Lane in order to gauge views on a proposal to permanently close the lane to through traffic.
  - 1.1 Bethany Lane is a single track road. It is impassable for larger vehicles due to its reduced carriageway width and poor horizontal alignment along the midsection of the route. The Highways Service received complaints from local residents about damage to property caused by vehicles attempting to negotiate the lane and were informed of instances where vehicles became stranded on the lane.
  - 1.2 The complaints relate to motorists using Bethany Lane as a short cut between Huddersfield Road (A 640) and Newhey Road / Milnrow Road (A 663). It is reported that during both emergency and planned closures of the westbound carriageway of the M 62, between junctions 22 and 21, the formation of queues along Huddersfield Road has in some instances resulted in Bethany Lane being used as an alternative route.
  - 1.3 The most effective way to prevent through traffic movements would be to introduce a Traffic Regulation Order prohibiting its use by all motorised vehicles over a specific short length of carriageway. This proposal was put forward in a consultation leaflet delivered to local residents in January 2017.
  - 1.4 Although there was a majority support for a closure of Bethany Lane, the preferred option was to upgrade the existing signage at the junction of Bethany Lane and Huddersfield Road and for the situation to be assessed thereafter. The aim of this was to reduce the number of 'through traffic' movements without preventing access.

- 1.5 However, since the introduction of the signs, several closures of the M 62 resulted in vehicles continuing to use Bethany Lane as a short cut. This resulted in further complaints from residents and prompted ward councillors to hold a meeting with residents to discuss the matter further. There was overwhelming support for a restriction to be introduced on an experimental basis at this meeting.
- 1.6 If an experimental TRO is to be introduced there would be a six-month objection period for affected parties to raise their concerns. Any objections received will be considered at a future meeting of the Pennines Township Committee. If no objections are received, the experimental order will be made permanent using the delegated authority to the Director of Neighbourhoods, after consultation with the Township Committee Chair.
- 1.7 The enclosed plan in Appendix A shows the position of the proposed restriction and Appendix B contains a copy of the draft experimental order.

<b>Recommendation</b>
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2. The Committee should consider whether or not to introduce the experimental traffic order as detailed in Appendix B.

<b>Reason for Recommendation</b>
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**Copy of TMU Report**

3. The Highways Service of Rochdale Council was commissioned by Pennines Township Committee to consult with residents of Bethany Lane in order to gauge views on a proposal to permanently close the lane to through traffic.

The Highways Service received complaints from local residents about damage to property caused by vehicles attempting to negotiate the lane and were informed of instances where vehicles became stranded on the lane.

Bethany Lane is a single track road. It is impassable for larger vehicles due to its reduced carriageway width and poor horizontal alignment along the midsection of the route. Standard sized vehicles are also hindered from passing along the lane due to the restricted width at certain points along it.

The complaints relate to motorists using Bethany Lane as a short cut between Huddersfield Road (A 640) and Newhey Road / Milnrow Road (A 663). It is reported that during both emergency and planned closures of the westbound carriageway of the M 62, between junctions 22 and 21, the formation of queues along Huddersfield Road has in some instances resulted in Bethany Lane being used as an alternative route.

The most effective way to prevent through traffic movements would be to introduce a Traffic Regulation Order prohibiting its use by all motorised vehicles over a specific short length of carriageway. This proposal was put forward in a consultation leaflet delivered to local residents in January 2017.

The majority of residents were in support of the scheme. However, concerns were raised that in the event of Haugh Fold becoming blocked, Bethany Lane would be the only alternative route. Concerns were also raised that any motorists ignoring the advanced closure signs may encounter difficulties in turning around.

The consultation also resulted in a number of questions from residents which are answered below.

- The Highway Authority would not support the introduction of a Prohibition of Driving traffic order without bollards.
- If bollards are introduced, they would be lockable. However, keys would only be made available to Highway Maintenance, not residents.
- A barrier would not be appropriate as access needs to be maintained for pedestrians, cyclists and ridden horses.

The responses to the consultation were discussed with local ward councillors and three options were considered:

- Promote the scheme on a permanent basis as detailed in the consultation
- Introduce the same scheme on an experimental basis (6 month assessment period)
- Improve the existing signing to deter through traffic movements on an experimental basis

The preferred option was to upgrade the existing signage at the junction of Bethany Lane and Huddersfield Road and assess the situation thereafter. The aim of this was to reduce the number of 'through traffic' movements without preventing access.

However, since the introduction of the signs, several closures of the M 62 resulted in vehicles continuing to use Bethany Lane as a short cut. This resulted in further complaints from residents and prompted ward councillors to hold a meeting with residents to discuss the matter further. There was overwhelming support for a restriction to be introduced on an experimental basis at this meeting.

An experimental TRO is to be promoted and there will be a six-month objection period for affected parties to raise their concerns. Any objections received will be considered at a future meeting of the Pennines Township Committee.

If no objections are received within the six-month consultation period, the experimental TRO will become permanent.

The restriction would be enforced by the installation of bollards. Pedestrians, cyclists and accompanied horses would be unaffected.

### **Key Points for Consideration**

4. The Council is proposing to make an Experimental Order under the provisions of the Road Traffic Regulation Act 1984, which will prevent 'through traffic' from using Bethany Lane.
- 4.1 The six-month consultation period will commence on the introduction of the restriction.
- 4.2 The Prohibition of Motor Vehicles Order would be enforced by the introduction of removable bollards positioned midway along the route. No Through Road signs would be positioned at each end to inform motorists of the restriction.

### **Alternatives Considered**

- 4.3 The Committee could consider recommending that the experimental order is not introduced.
- 4.4 Introduce a permanent TRO. This option has been discounted. If any problems occurred following the introduction of the restriction, the bollards could not be removed without a further TRO being made to revoke the original one. This would be an added expense.

### **Costs and Budget Summary**

5. The cost of the proposed Experimental Traffic Regulation Order will be met by Pennines Township. Funding was approved for £6,000 to undertake the consultation and introduce a permanent TRO. A scheme variation was approved by the Chair, which allowed for experimental signs to be introduced and for an experimental TRO to be subsequently made, if required.

### **Risk and Policy Implications**

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

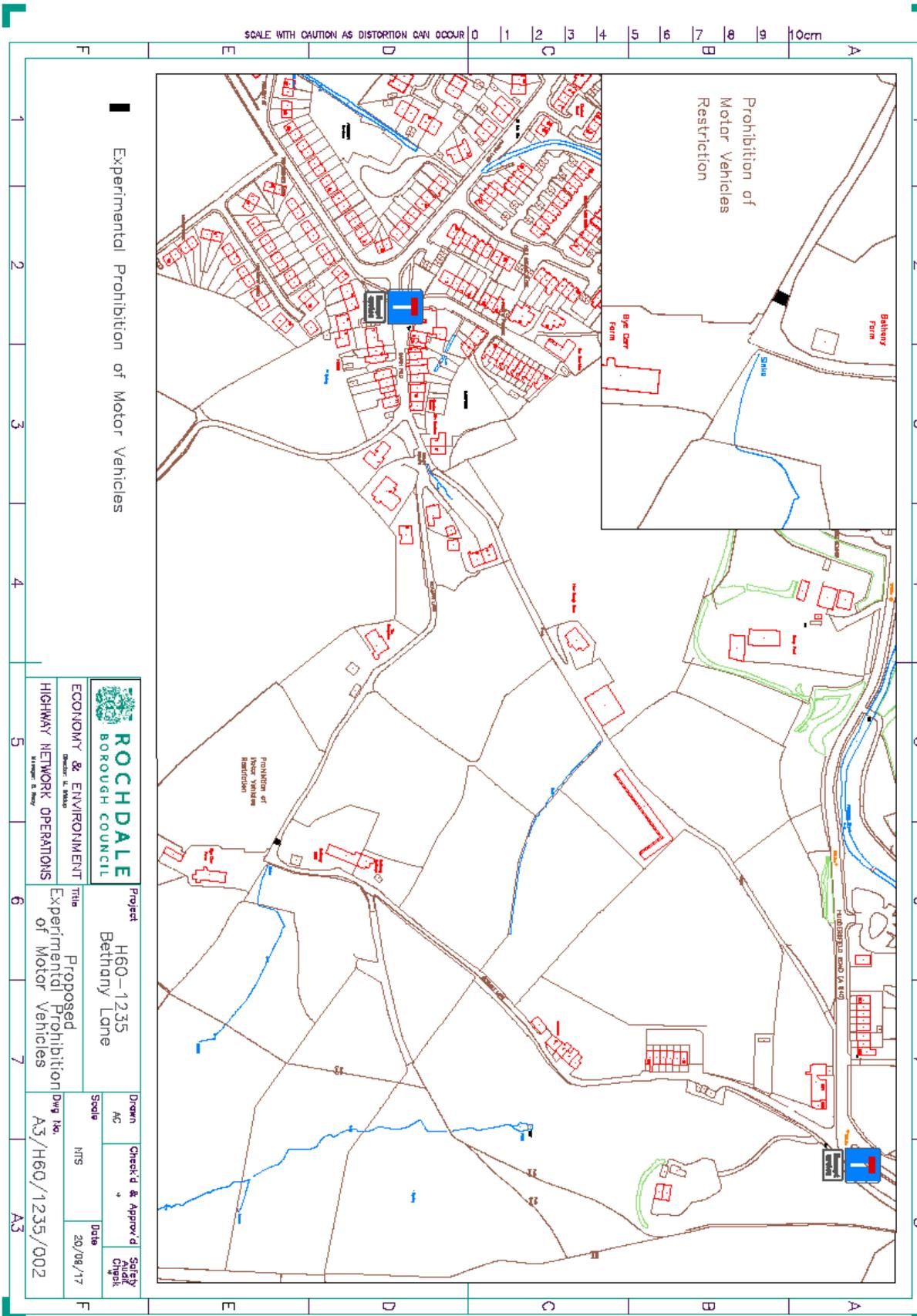
### **Consultation**

7. A consultation with local residents took place in January 2017. This was in the form of a leaflet drop. A further meeting was held between residents and local ward members in September 2017.

7.1 All Statutory Consultees have been contacted and the scheme discussed at a Traffic Management Unit Meeting held on 19<sup>th</sup> October 2017.

<b>Background Papers</b>	<b>Place of Inspection</b>
8.	
<b>For Further Information Contact:</b>	Andrew Cowell, Tel: 4592, andrew.cowell@rochdale.gov.uk

# APPENDIX A – Plan



## **APPENDIX B – Copy of Draft Experimental Traffic Order**

### **BOROUGH OF ROCHDALE**

### **(BETHANY LANE, NEWHEY)**

### **EXPERIMENTAL (PROHIBITION OF MOTOR VEHICLES) ORDER 2017**

The Rochdale Borough Council, in exercise of the powers under Sections 9 and 10 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Section 124(1) and paragraph 20(1) of Part III of Schedule 9 to the Act, hereby make the following Order:-

1. This Order may be cited as the Borough of Rochdale (Bethany Lane, Newhey) Experimental (Prohibition of Motor Vehicles) Order 2017 and shall come into operation on XX<sup>th</sup> Xxxxxx 2017 and which will operate for an experimental period of 18 months.
2. Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
3. Save as provided in Articles 4 no person shall cause or permit any motor vehicle to proceed in the length of road specified in the Schedule to this Order.
4. (1) Nothing in Article 3 shall render it unlawful to cause or permit any motor vehicle to enter or proceed in the length of road specified in the Schedule to this Order, so far as such entry or proceeding is reasonably necessary, to enable the vehicle to be used for the purposes of:-
  - (a) A vehicle being used for ambulance, fire brigade or police purposes if the observance of any provision of this Order would hinder the use of the vehicle for the purpose on which it is being used on that occasion;
  - (b) In pursuance of statutory powers or duties of the Local Authority;
  - (c) For the laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984 in or near the said length of road;
  - (d) Any building operation authorised by the Highway Authority;
  - (e) The maintenance, improvement or reconstruction of the said length of road.
5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
6. The Prohibition imposed by this Order is in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provision of this Order is without prejudice to the provisions of any other enactment.

### **SCHEDULE**

#### **Experimental Prohibition of Motor Vehicles**

Bethany Lane, Newhey

from a point 288 metres east of its junction with  
Haugh Square for a distance of 1 metre in an  
easterly direction

**DATED** this XX<sup>th</sup> day of Xxxxxx 2017

**THE COMMON SEAL** of **THE ROCHDALE** )

**BOROUGH COUNCIL** was hereunto ) )

affixed in the presence of: ) )

**Authorised Signatory**