



Date of Meeting	16 th October 2018
Portfolio	Cabinet Member for Environment
Report Author	Andrew Cowell
Public/Private Document	Public

Objections to Traffic Regulation Order - James Street, Littleborough

Executive Summary

- 1.1 A request was received from Pennines Township for the Council to investigate the introduction of parking restrictions along James Street, Littleborough. It was reported that vehicles park on both sides of the road at certain points, which obstructs the passage of vehicles. The main problems occur near Crowther Court where refuse collection operatives have reported access issues. In addition to creating vehicular access problems, vehicles double parked often obstruct the footway for pedestrians.
- 1.2 In addition to treating James Street, restrictions are proposed at the southern end of Arm Road, the main access point to James Street from the main road network. Restrictions are also proposed around St Andrews Close to ensure free vehicular movements around the junctions following a separate complaint from a local resident about obstructive parking.
- 1.3 New parking restrictions were drafted and approved by ward members. The restrictions were formally promoted and during the consultation period the Authority received 3 letters of objection to the proposal plus one supporting letter. Two representations were late but have been included.
- 1.4 In general, the objectors report that the restrictions will unnecessarily reduce the number of available on-street parking spaces for residents and visitors.
- 1.5 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.64) 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 along James Street, Littleborough. It is reported that vehicles park on both sides of the road at certain points, which obstructs the passage of vehicles. The main problems occur near Crowther Court where refuse collection operatives have reported access issues.

James Street is a residential street running parallel to New Road (A 58). It is relatively narrow, especially at its western end and reportedly suffers from obstructive parking issues.

Over the majority of its length there is little demand for parking on its southern side with the majority of properties situated on the north side. The proposal is therefore to introduce waiting restrictions on the south side except at each end where the situation is reversed. The proposal covers the whole length of James Street to ensure that the problems with double parking around Crowther Court are simply not transferred to other parts of James Street.

In addition to creating vehicular access problems, vehicles double parked often obstruct the footway for pedestrians.

In addition to treating James Street it is proposed to introduce waiting restrictions at the southern end of Arm Road, the main access point to James Street from the main road network. The area around St Andrews Close will also be treated to ensure free vehicular movements around the junctions following a separate complaint from a local resident about vehicles parking at the junction.

There are currently no existing parking restrictions along James Street, Arm Road or St Andrews Close.

It is proposed to introduce prohibition of waiting restrictions on:

James Street

the south east side from a point 60 metres south west its junction

with Starring Road to a point 85 metres north east of its junction with Arm Road

the south east side from its junction with Arm Road for a distance of 10 metres in a north easterly direction

the north west side from its junction with Arm Road for a distance of 92 metres in a north easterly direction

the north west side from its junction with Oliver Close to its junction with Starring Road

Arm Road

the west side from its junction with New Road to a point 14 metres north of its junction with St Andrews Close

the east side from its junction with New Road to a point 9 metres north of its junction with James Street

St Andrews Close

both sides from its junction with Arm Road for a distance of 10 metres in a north westerly direction

The proposed restrictions will ensure vehicles can only park on one side along James Street, allowing better access for all highway users. Restrictions at the southern end of Arm Road will ease vehicular movements around the junctions of New Road, St Andrews Close and James Street and increase visibility for motorists attempting to negotiate the junctions.

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

Key Points for Consideration

4. During the consultation period the Authority received 3 objection letters and one supporting letter.
- 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. 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.

Costs and Budget Summary

5. The cost of the proposed Traffic Regulation Order will be met by Pennines Township Fund. The estimated cost is £4000.

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. 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 24th April 2018.
- 7.2 Notices of intention were posted on site and published in the local newspaper on 25th April 2018.
- 7.3 The objection period ran until 16th May 2018.

Background Papers	Place of Inspection
None	

APPENDIX A – Notice of Intention and plan

BOROUGH OF ROCHDALE ((CIVIL ENFORCEMENT OF TRAFFIC CONTRAVENTIONS) (VARIOUS STREETS) (PENNINES TOWNSHIP) ORDER 2008) (AMENDMENT) (NO. 64) ORDER

James Street, Arm Road and St Andrews Close, 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

James Street, Wardle & West Littleborough Ward

- n(i) the south east side from a point 60 metres south west its junction with Starring Road to a point 85 metres north east of its junction with Arm Road
- n(ii) the south east side from its junction with Arm Road for a distance of 10 metres in a north easterly direction
- n(iii) the north west side from its junction with Arm Road for a distance of 92 metres in a north easterly direction
- n(iv) the north west side from its junction with Oliver Close to its junction with Starring Road

Arm Road, Wardle & West Littleborough Ward

- n(i) the west side from its junction with New Road to a point 14 metres north of its junction with St Andrews Close
- n(ii) the east side from its junction with New Road to a point 9 metres north of its junction with James Street

St Andrews Close, Wardle & West Littleborough Ward

- n(i) both sides from its junction with Arm Road for a distance of 10 metres in a north westerly direction
- (ii) Revoke those parts 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

Crowther Street, Wardle & West Littleborough Ward

- (i) the east side from a point 8 metres north of its junction with New Road for a distance of 5 metres in a northerly direction
- (ii) the west side from a point 8 metres north of its junction with New Road for a distance of 10 metres in a northerly 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 16th May 2018, quoting H60/1249.

Dated this 25th day of April 2018

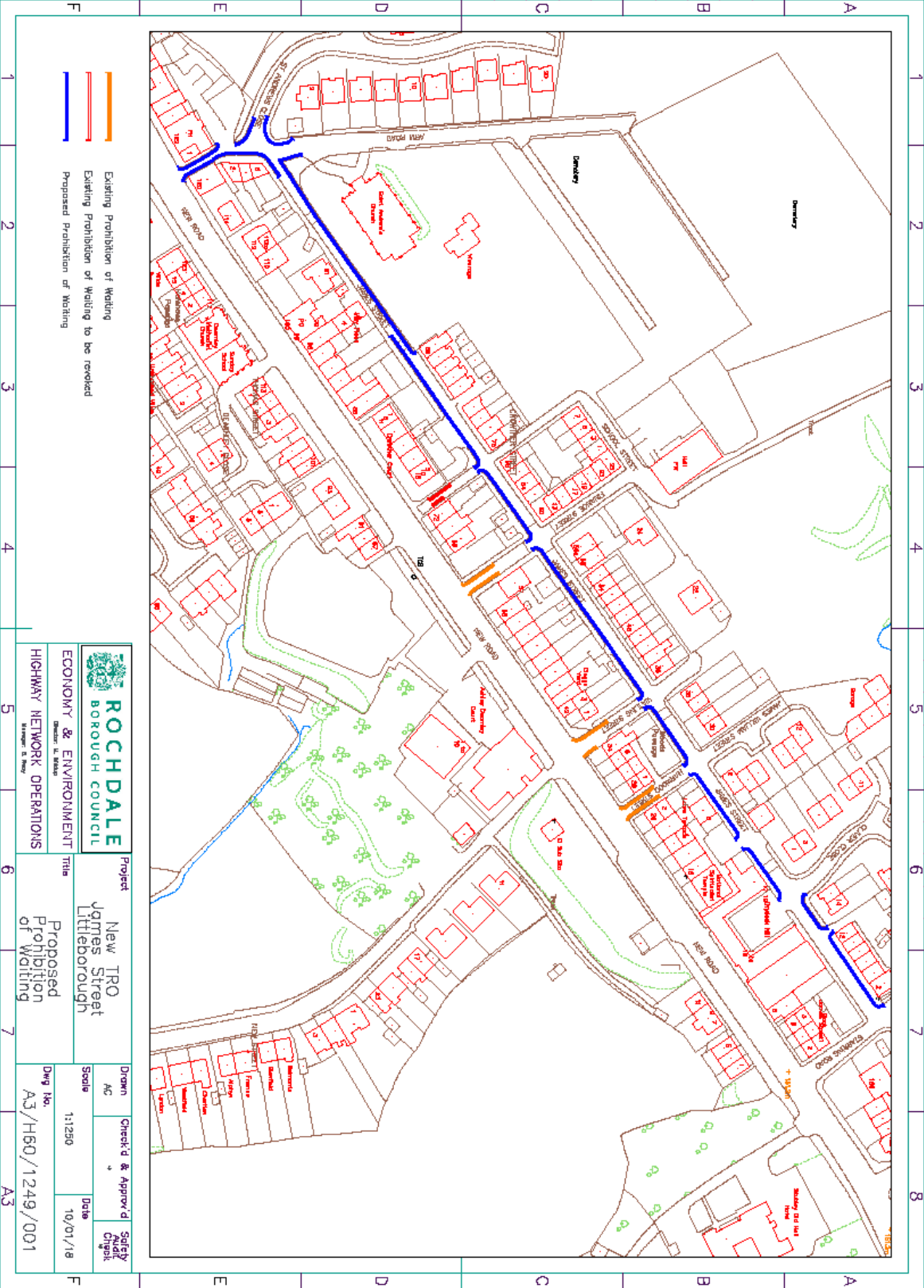
A handwritten signature in black ink, appearing to read 'D. Wilcock', with a large, stylized flourish at the end.

David Wilcock

Assistant Director (Legal, Governance & Workforce)
Resources Directorate
Rochdale Borough Council

Number One Riverside
Smith Street
ROCHDALE
OL16 1XU

SCALE WITH CAUTION AS DISTORTION CAN OCCUR 0 1 2 3 4 5 6 7 8 9 10cm



<p>ROCHDALE BOROUGH COUNCIL</p> <p><small>Director: S. Wilson</small></p>	Project	New TRO James Street Littleborough	Drawn AC	Checked & Approved Society Qualif Officer
	<p>ECONOMY & ENVIRONMENT</p> <p>HIGHWAY NETWORK OPERATIONS</p> <p><small>Manager: S. How</small></p>	Title	Proposed Prohibition of Waiting	Scale 1:1250
			Dwg No. A3/H60/1249/001	

1 2 3 4 5 6 7 8

A B C D E F

APPENDIX B – Objections

Objection 1

Having only just received notice of this proposed order today (**24/05/2018**) whilst out walking my dogs I want to object.

I have seen online the drawing has a date of 10/01/2018 & the order is dated 25/04/2018, why then haven't we had any correspondence regarding this matter if it has been in the planning for months? I haven't received anything through the post, nobody has knocked on the door, no signs up anywhere, yet a dog walker has managed to tell me that I will no longer be able to park outside my house soon.

I propose 2 things to you:

My car insurance will no longer cover me at night times, it will increase by around £200 per year, who pays the difference as when I bought my house it didn't have restrictions for parking (still doesn't need them if you came & surveyed properly). I parked up on Arm Road near the church in 2016 & my car was stolen, it took months of arguing to reach a conclusion leaving me without a vehicle. I have witnessed 2 car break ins on the higher end of Arm Road in recent months & reported it to the police, there was 3 cars with smashed windows as they were visiting the Green Door restaurant, this week has been another car break in on St Andrews Close and you're proposing we park away from our houses where we can't see our vehicles? That is the only place I will be able to park once this ludicrous scheme goes ahead & I will not be parking up there after my last experience.

My elderly mother is disabled & when I bring her to my house I need to get as close to the door as possible, she can't walk 20mtrs, where do I park to get her in & out of the house?

I know what the automated response from the council will be, it is all too predictable. The objection is outside of the allocated time albeit it has been very cloak & dagger not giving us chance to object, and your bin collection wagons need access (for less than 1 hour a week) and they only have problems on James Street.

Objection 2

Please note this objection is late because of the length of time it took to get a reply to my enquiry about the proposal!

You will see from below email, that **I only received a reply from the council TODAY 17.5.18** - with details of the proposal, even though I enquired a few days ago.

This meant I did not have details of the plans or details of how to object until today

I object to the double yellow lines on Arm Road and on the corners of St Andrews

Close / Arm Road - because having lived here for many years I don't believe these roads have ever been obstructed - we have a large van and have never struggled to get up Arm Road.

The objection is on the basis that the residents here already struggle to park - mainly since a restaurant was permitted in what previously was a pub, As a pub there were few cars coming to that property, now there are many customers in cars and this already causes problems for residents to park. Add to this the people visiting church - weekends and week nights for community activities - and the Scout group building... and Kingdom Hall off Finance Street - there is already a significant problem parking!
Where will all these residents and visitors park?

I believe this will also impact the residents who cannot park near their own homes in terms of affecting house prices / ability to sell their homes - which they bought on the basis that they were able to park close by..

I agree that further down James street, in the small section where you propose yellow lines on both sides of road is a good idea, (where houses start after the church yard on North side of James Street) but this is the ONLY area where I have ever encountered congestion or double parking in my years as a resident!

If the bin lorry is the concern.... then rather than constant parking restrictions - why can't you impose a restriction on one day only on 'Bin day' - during office hours... so that most residents can still park in the evenings?

Objection 3

I wish my concerns regarding the above proposal to be taken into consideration.

I have access to my rear garden via a gate on James Street and, more importantly, I own a garage which is situated within the boundaries of my property and which opens onto James Street.

1. I accept the need for appropriate waiting restrictions on highways to allow access for emergency and public service vehicles and to promote public safety as appropriate.

2. I accept that parking adjacent to my property on the public highway is not a right.

3. I have lived at this property for approximately 23 years (although the house itself was built around 1850) and, for the majority of that time, parking on James Street had been relatively trouble free.

4. The problems have, however, become more frequent and having had access and egress to and from my garage prevented by vehicles parked across its doors I now no longer feel confident to park inside and I am forced to park on the roadside ie across my own garage access.

5. There is currently no dropped kerb leading to my garage however I have

previously made enquiries to purchase this in a bid to facilitate better access. Having received a quote and having been colloquially advised that there would be little possibility of this resolving unauthorised parking I decided to forgo the expense at that time. This decision was also influenced by seeing my close neighbours who have dropped kerbs across their hard standing parking spaces being similarly disadvantaged. I would however actively consider this again if I could then access my garage with confidence.

6. The main problems with parking are caused by visitors to St Andrews church. These visitors attend weekend services, additional ad hoc services, fundraising events and various clubs/ groups.

7. Other vehicles are customers of the Green Door restaurant and other local businesses.

8. I am concerned that those of us who have properties along the relatively short stretch of James Street which, under your proposals, will have no prohibition of waiting will now have a substantially increased number of vehicles regularly parking there - not least those vehicles which currently park on Arm Road - together with the large number of visitors described above.

9. As part of this proposal I wonder whether any approach has been made to the church to consider the possibility of providing any additional parking on existing church premises to alleviate some of the problems caused by their visitors which are being experienced by nearby residents.

In summary, for all of the reasons detailed above, I am concerned that the proposals will render my garage unfit for purpose as the likelihood of the doors remaining clear of obstructions would become increasingly remote. I am of pensionable age and pride myself on being physically fit however not being able to load or unload my car within reasonable proximity of my home due to inconsiderate parking has, at times, been quite difficult. I am concerned that the proposals would exacerbate the problem.

I feel that, in essence, these proposals would put me and my immediate neighbours at a disproportionate disadvantage compared to other residents of James Street due to our proximity to St Andrews Church and the Green Door restaurant.

I wonder whether consideration could be given to the provision of H markings or some form of residents' parking scheme.

I would welcome the opportunity of further dialogue before the proposals are finalised.

Supporting letter

St Andrews Close is accessible via a one way road - Arm road. When entering from New Road, there are always cars and more specifically a van which parks on the corner, on the pavement. This causes an obstruction for both drivers and those walking. When turning onto Arm road the cars or van block a clear view of the

Close, making it incredibly difficult to see traffic leaving the estate. If the van is there, there is no visibility. The owner of the van lives on the main road and no where near where he lives it every day. There is always a church on Arm road, and on days there are services the Close becomes very busy with parked cars along the corner, many cars park onto the pavement which make it difficult for those with wheelchairs or children in prams. I have had to many times use the road to go around the van with my daughter in the pram, as the van is a transit I have no vision at all of any cars entering from Arm Road, making it very dangerous. St Andrews Close is not very big and has many young children living here. As residents, it would be extremely beneficial to have double yellow lines painted on the corner of the Close to stop the parking, and give a clear pavement to walkers, prams and wheelchair, and drivers entering from Arm Road.

APPENDIX C – Response to Objections

The Council followed the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 when advertising this proposal. The Council do not letter drop residents whom may be affected by a proposal as there may be supporters of the scheme whom would not be afforded the same opportunity to make representations. Supporters of a scheme may be regular users of the highway and not necessarily local residents. Further to this, it is not always clear which residents may be affected or not, which can lead to further claims of inconsistency in the way in which the Council advertises a TRO.

Notices were posted on lamp columns and were made conspicuous. The notices direct members of the public to the Council's website or library where plans are available to view.

Although residents may be affected by a proposal in terms of their parking arrangements, it should also be borne in mind that the only right the general public has on the highway is the right of passage along it. The Council is not responsible for creating or maintaining on-street parking places for residents. The Council, acting in its capacity as Highway Authority, have a duty of care to ensure the safety of the travelling public and to maintain the expeditious movement of traffic.

If a TRO is introduced by the Highway Authority, there is no legal mechanism for residents to claim compensation. The Highway Authority is also not responsible for the security of vehicles.

We appreciate that some displacement of on-street parking will occur but unfortunately this cannot be avoided. Any displacement of parking in front of garages and driveways also cannot be avoided. A dropped crossing would provide legitimate access to garages and driveways and deter any motorists from obstructing it. It is also an offence to park alongside a dropped crossing. Residents can apply for this facility.

It should be noted that disabled badge holders can park on prohibition of waiting restrictions for up to 3 hours.

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