



Date of Meeting	13 <sup>th</sup> February 2019
Portfolio	Cabinet Member for Environment
Report Author	Paul Wotton
Public Document	Public

## Objections to Traffic Order - Union Road, Dearnley

### Executive Summary

- 1.1 Proposed alterations to No Waiting At Any Time restrictions on the recently extended Union Road have been advertised and two objections were received.
- 1.2 This report explains the background to the proposal and comments upon the points made by the objectors to assist the Committee in coming to a decision whether to implement, and to what extent the Order may be introduced.

### Recommendation

- 2.1 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.69) Order be implemented as advertised, be amended, or be abandoned in light of the objections received, which are in Appendix C of this report.
- 2.2 It is the recommendation of Highways Officers that the Order should be introduced to address parking issues which can obstruct the turning head situated at the end of the cul de sac, and also on the west side of the recently constructed section of Union Road to be consistent with the remainder of this highway.

### Reason for Recommendation

#### 3.1 Copy of Statement of Reasons

- 3.1.1 Union Road, Dearnley is a cul-de-sac and non-strategic highway situated on the north side of Halifax Road A58. The junction is controlled by traffic signals together with the nearby junction of Halifax Road and Smithy Bridge Road.
- 3.1.2 Union Road serves mostly residential properties and is the vehicular access to St Andrews Primary School.

- 3.1.3 It used to be one of the main accesses to the Birch Hill Hospital complex, where much of the south of its site has been redeveloped for housing, causing Union Road to be extended in a northerly direction by some 40 metres, whilst remaining a cul-de-sac and having several new dwellings built at its northern end.
- 3.1.4 To ensure the efficient operation of Union Road, its northern end is a turning head to allow delivery and goods vehicles to turn and there have been instances of vehicles parking in it causing difficulties for goods vehicles which have hit and damaged some boundary fencing.
- 3.1.5 The 40 metres long extension of Union Road is 5.7 metres wide making it 1.0 metre narrower than the older and longer original section, thus justifying restrictions to keep it free for traffic to use and to avoid unsafe turning manoeuvres such as using driveways or the school access which would pose a risk particularly to pedestrians and particularly school children.
- 3.1.6 All of the recently built properties have their own off-street parking provision.
- 3.1.7 On the east side of the original section of Union Road, there is no intention to alter either of the two marked unrestricted parking bays, the 'School Keep Clear' markings or the No Waiting At Any Time restrictions at its south end approaching the traffic signal controlled junction with Halifax Road.
- 3.1.8 There have been no recorded injury accidents in Union Road in the last 3 years.
- 3.2 The proposals devised and advertised are intended to address the identified issues. The scheme plan forms Appendix A and the Notice of Intention fully describing the proposal is Appendix B.

<b>Key Points for Consideration</b>
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- 4.1 During the consultation period the Authority received 2 objections from residents of properties fronting onto the recently extended section of Union Road.
- 4.2 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.
- 4.3 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 Functions of Township Committees Section 8.2.2. Committee has delegated power to confirm or abandon the proposals and the Order.
- 4.4 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 safe and expeditious movement of traffic.

4.5 The Objectors' comments and the Director of Neighbourhoods response are attached at Appendix C of this report. Their names and precise addresses have been redacted.

4.6 A further Order was advertised at the same time on Union Road to impose a 20 miles per hour speed restriction on the recently extended length of highway. No objections were received and this Order has been introduced, although no changes were needed to the existing speed limit signing on Union Road.

#### 4.7 **Alternatives Considered**

4.7.1 The Committee could decide to amend or abandon the proposal.

4.7.2 Should Committee decide not to introduce the restrictions and abandon the proposal then the identified issues with parked vehicles obstructing the turning head and indiscriminate parking on the recently constructed section of Union Road will not be addressed.

4.7.3 Due to the change in road layout the existing TRO needs amending to cover the full extent of Union Road and if this is not done, the northern section and replacement turning head arrangement will continue to experience indiscriminate parking and be liable to obstruction.

4.7.4 Failure to introduce an amendment order will leave an ambiguous situation describing a turning head on Union Road which no longer exists, and risk established restrictions becoming unenforceable.

#### 4.8 **General comments about the objections**

4.8.1 The scheme can be separated into two sections as explained below.

#### 4.9 **Union Road turning head**

4.9.1 Further to paragraph 3.1.4, a comment received from a Union Road resident explains their view of difficulties that parked vehicles can cause in the turning head, and cites observed issues for refuse and recycling collections, Ambulance and Fire vehicles, all having had difficulty turning and often having to drive on the footway; a situation which can arise at any time of day.

4.9.2 The most awkward situations described are instances of a refuse vehicle having to reverse a considerable distance along Union Road when prevented from turning, and a heated argument taking place with a driver who would not move their parked vehicle for the refuse vehicle to turn.

4.9.3 It is assumed that the incident described in the previous paragraph was resolved by the vehicle turning round in an unsatisfactory manner using a

private driveway or possibly the school access or entrance to the former Kilpatrick premises yard, all of which could have placed children at risk of injury particularly when Union Road is at its busiest at school start and finish times.

#### 4.10 **Union Road - west side**

- 4.10.1 The original extent of Union Road has No Waiting At Any Time restrictions along the full length of its west side.
- 4.10.2 The new continuation of Union Road up to its turning head is 1 metre narrower in width and cannot accommodate parked vehicles on both sides of the street, hence the desire to continue the pattern of west side No Waiting At Any Time restriction for its entire length.
- 4.10.3 All homes built on the new section of Union Road have their own off-street parking provision of two spaces per dwelling and it should be noted that the only right the general public including residents has on the highway is a right of passage along it.
- 4.10.4 The restrictions proposed will create uniformity of parking with the rest of Union Road by preventing parking on the whole of its west side, assisting keeping the road open for traffic.

<b>Costs and Budget Summary</b>
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- 5.1 The cost of the proposed Traffic Regulation Order is estimated to be £4000 and will be met by the Pennines Township Capital fund.

<b>Risk and Policy Implications</b>
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- 6.1 The Council has a statutory duty to ensure that its highways operate safely and efficiently, for all traffic including pedestrians.

<b>Consultation</b>
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- 7.1 Consultation required by the Local Authorities' Traffic Orders, (Procedure) (England and Wales) Regulations 1996 has taken place.
- 7.2 The Emergency Services, Transport for Greater Manchester, The Freight Transport Association and the Road Haulage Association were consulted on 11<sup>th</sup> September 2018.
- 7.3 Notices of intention were posted on site and published in the local newspaper on 12<sup>th</sup> September 2018.
- 7.4 The objection period ran until 3<sup>rd</sup> October 2018.

<b>Background Papers</b>	<b>Place of Inspection</b>
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<b>For Further Information Contact:</b>	Paul Wotton, , paul.wotton@rochdale.gov.uk
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# APPENDIX A – Scheme plan as advertised



**Key to Restriction Types Displayed**

Proposed

— No Waiting At Any Time



**Drawing Title**  
**Union Road**  
**Dearnley**  
**Proposed No Waiting**  
**At Any Time**

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**NETWORK MANAGEMENT**  
**HIGHWAYS AND ENGINEERING**

SCALE	1 : 1250
DATE	02/07/2018
DRAWING No.	H60 1270 NWAAT
DRAWN BY	PFW

## APPENDIX B – Notice of Intention

TRO Ref No H60/1270

**BOROUGH OF ROCHDALE  
((CIVIL ENFORCEMENT OF TRAFFIC CONTRAVENTIONS)  
(VARIOUS STREETS) (PENNINES TOWNSHIP) ORDER 2008)  
(AMENDMENT) (NO. 69) ORDER**

**Union 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:-

- (1) 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**

**Union Road, Wardle & West Littleborough Ward**

- n(iii) the north easterly side from a point 191 metres north west of its junction with Halifax Road for a distance of 17 metres in a north westerly direction including the turning head
- n(iv) the south westerly side from its junction with Halifax Road to a point 208 metres north west of its junction with Halifax Road including the turning head
- n(v) the north west side of its turning head situated 208 metres north west of its junction with Halifax Road for its entire length

- (2) 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**

**Union Road, Wardle & West Littleborough Ward**

- n(i) the north easterly side from a point 156 metres north west of its junction with Halifax Road to a point 169 metres north west of its junction with Halifax Road including the turning head
- n(ii) the south westerly side from its junction with Halifax Road to a point 169 metres north west of its junction with Halifax Road including the turning head

A copy of the proposed Order and a map showing the lengths of road concerned, together with the Council's Statement of Reasons for making the Order, may be inspected at 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](mailto: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 3<sup>rd</sup> October 2018, quoting H60/1270.

Dated this 12<sup>th</sup> day of September 2018



**David Wilcock**

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

Number One Riverside  
Smith Street  
ROCHDALE  
OL16 1XU

## APPENDIX C – Objections Received

Objector 1	<div style="background-color: black; width: 100px; height: 15px; margin: 0 auto;"></div> Union Road, Rochdale OL12 9QA
Details of objection Objector's comments written as received	Response of the Director of Neighbourhoods
<p><b>Subject:</b> No waiting H60/1270 Good Morning,</p> <p>I am writing with regards to the No waiting at anytime proposition on Union Road, Wardle and West Littleborough Ward.</p> <p>Having taken into consideration my fellow neighbours I have an obligation to object the above subject.</p> <p>I live on the side of which the No waiting lines will be placed and after much consideration I feel this will hinder my family members visiting our property due to restricted parking. I do feel that we need to have some form of restrictions due to people parking inconsiderate towards others, however a permanent no waiting zone is the wrong solution. Maybe a parking permit for those that live on Union Road. The residents of the clock tower have their own car park however they are using Union Road to park which is causing the access of emergency vehicles and delivery vehicles to be restricted.</p> <p>As stated at this time I am objecting to the No waiting lines being placed outside my house.</p> <p>I have provided my contact telephone number should you need any more information - <span style="background-color: black; color: black;">[REDACTED]</span>.</p> <p>Kindest regards</p> <p><span style="background-color: black; color: black;">[REDACTED]</span> Union Road</p>	<p>All the recently built properties do have their own off street parking for two vehicles.</p> <p>Other than in the turning head situated at its north end, the No Waiting At Any Time restrictions are proposed for just the west side of Union Road thus allowing parking on the opposite side providing they comply with the highway code.</p> <p>The only right the general public including residents has on the highway is a right of passage along it.</p> <p>The section of Union Road under consideration is not wide enough to allow parking to take place on both sides of the road, being 1 metre narrower than the long established southern section of the road.</p> <p>If vehicles were to park on both sides, they would either obstruct the passage of vehicles and/or be parked on the footway causing inconvenience or possible risk to pedestrians.</p> <p>A parking permit scheme would not prevent cars parking indiscriminately. Introducing the proposed restrictions will cause some displacement of parked vehicles and make better use of the highway and ease access and turning issues.</p>

<p><b>Objector 2</b></p>	<p>██████████  ██████████ Union Road, Rochdale OL12 9QA</p>
<p><b>Details of objection</b>  <b>Objector's comments written as received</b></p>	<p><b>Response of the Director of Neighbourhoods</b></p>
<p><b>Subject:</b> Objection - H60/1273 H60/1270</p> <p>I write to raise an objection to the traffic order H60/1273 H60/1270 - Union road Dearnley.</p> <p>I reside at number ██████, one of the new build properties at the top of the road referenced in your reasons document. It was me who originally approached councillor John Taylor with my concerns.</p> <p>I fear the proposals that have been outlined will do nothing for our current predicament. Ignoring parking in the turning head, which is an all year round problem, Issues only arise during school drop off/pick up hours, when driveways are blocked and double parking occurs.</p> <p>Whilst I agree your proposals will go some way to solving double parking issues, they will do nothing for the problem of blocking our driveway. In reality it will only make the problem worse.</p> <p>I would like to suggest the counter proposal of introducing limited hours restrictions during school hours with a single solid yellow line, with relevant signage. Whatever is implemented must be implemented on both sides of the street. If they are just on one side the problem will simply worsen for the other side.</p> <p>We are able to provide photo evidence if you require. I will forward these at the earliest opportunity</p> <p>Regards  ██████████  ██████████ Union Road</p>	<p>This objector does acknowledge the need for restrictions in the turning head at the north end of Union Road (cul-de-sac).</p> <p>Their concerns relate to the restrictions proposed for the west side of Union Road.</p> <p>The only right the general public including residents has on the highway is a right of passage along it.</p> <p>If implemented the proposed restrictions will improve operation of the turning head and regulate parking to take place just on the east side of Union Road.</p> <p>If shorter duration restrictions are applied to target just school times, then vehicles will be displaced a considerable distance due to the presence of nearby established restrictions.</p> <p>Due to Union Road being a cul de sac, it is important that the road is not obstructed by parked vehicles because it can only be reached from Halifax Road A58.</p> <p>To address the concerns about parking, it could be possible to introduce a 9am to 5pm restriction on the east side of Union Road to ensure driveways are not obstructed, however the principle of parking being banned on just its west side has been established for many years on the original section of Union Road.</p> <p>Parking across a dropped kerb is an offence that can result in the issue of a Penalty Charge by a Civil Enforcement Officer.</p> <p>Should the Committee be minded to introduce any form of part day restriction on Union Road, then this would require such proposals to be re-advertised.</p>