

Report to TRO Panel

Haven Lane, Moorside – Objections to Proposed Waiting and Peak Time Loading Restriction

Portfolio Holder:

Councillor A Shah, Cabinet Member for Neighbourhood Services

Officer Contact: Deputy Chief Executive – People and Place

Report Author: Darryll Elwood, Technical Assistant

Ext. 1946

28 March 2019

Reason for Decision

The purpose of this report is to consider two objections received to the proposal to introduce waiting and peak time loading restrictions on Haven Lane, Moorside.

Recommendation

Notwithstanding the objections received it is recommended that the Panel supports the introduction of a Traffic Regulation Order on Haven Lane as per the original proposal shown in the schedule at Appendix A.

Haven Lane, Moorside – Objections to Proposed Waiting and Peak Time Loading Restriction

1 Background

- 1.1 A proposal to introduce waiting and peak time loading restrictions on Haven Lane, Moorside, was approved under delegated powers on 9 February 2018, Delegated Reference No D3197 refers. A copy of the report detailing the reason for the restrictions is attached at Appendix A. The proposal was subsequently advertised and two letters of objection were received, which are attached at Appendix B. There was also a 42 signature petition attached to one of the objections which is not included with this report due to General Data Protection Regulations (GDPR). However, a copy of the petition is available for the Panel to see.

2 Current Position

- 2.1 Currently there are existing waiting/peak time loading restrictions along both sides of Haven Lane from its junction with Turf Pit Lane for a distance of 15 metres which assist in ensuring the free flow of traffic through the junction. However, correspondence was received in 2017 from a number of local residents expressing concern that vehicles are parking either partially or fully on the footway at the end of the restrictions preventing pedestrians from using the footways. Due to this obstructive parking pedestrians are being forced to walk in the carriageway.
- 2.2 In light of the concerns raised a number of observations were undertaken which revealed motorists do park in this location either partially or fully on the footway forcing pedestrians to walk in the carriageway. The visibility and free flow of traffic can also become obstructed due to the width of the carriageway at this point and the slight bend in the highway, this and the fact pedestrians are being forced in the carriageway could create a highway safety issue.
- 2.3 Due to the concerns raised and the observations undertaken a proposal was advertised to extend the existing restrictions by 6 metres and 8 metres on the South East side and the North West side of Haven Lane respectively, in accordance with the schedule and plan at the end of this report. As the recommended length required allowing a vehicle to manoeuvre and park safely is 6 metres, this proposal will effectively remove one parking space from each side of the carriageway.

3 Options/Alternatives

- 3.1 Option 1 – To Approve the Amended Recommendations
- 3.2 Option 2 – Not to Approve the Amended Recommendations

4 Preferred Option

- 4.1 The preferred option is Option 1.

5 **Consultation**

5.1 The Emergency Services and Transport for Greater Manchester were consulted in the original report.

6 **Comments of the St James Ward Councillors**

6.1 Ward Members were consulted and no comments were received.

7 **Financial Implications**

7.1 These were dealt with in the previous report.

8 **Legal Services Comments**

8.1 These were dealt with in the previous report.

9 **Co-operative Agenda**

9.1 In respect of the introduction of waiting and peak time loading restrictions on Haven Lane, Moorside, there are no co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

10 **Human Resources Comments**

10.1 None.

11 **Risk Assessments**

11.1 None.

12 **IT Implications**

12.1 None.

13 **Property Implications**

13.1 None.

14 **Procurement Implications**

14.1 None.

15 **Environmental and Health & Safety Implications**

15.1 These were dealt with in the previous report.

16 **Equality, community cohesion and crime implications**

16.1 The introduction of waiting and peak time loading restrictions on Haven Lane may result in some displaced parking for motorists who use this area to park but unobstructed access and highway safety take priority over the need to park.

17 **Equality Impact Assessment Completed?**

17.1 No.

18 **Key Decision**

18.1 No.

19 **Key Decision Reference**

19.1 Not applicable.

20 **Background Papers**

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

None.

21 **Appendices**

21.1 Appendix A – Copy of Mod Gov Report
Appendix B – Copy of Objections (petition not included).

Proposal

22.1 It is proposed that a Traffic Regulation Order be introduced in accordance with the following schedule and drawing number.

Schedule
Drawing Number 47/A4/1496/1

Add to the Oldham Borough Council (Oldham area) Consolidation Order 2003

Column 1	Column 2	Column 3	Column 4	Column 5
Item No.	Length of Road	Duration	Exemptions	No Loading
	<u>Haven Lane</u> (South East Side) From a point 15 metres south west of its junction with Turf Pit Lane for a distance of 6 metres in a south westerly direction	At Any Time		Mon - Sat 7.30 - 9.30am and Mon – Fri 4 – 6.30pm

	<u>Haven Lane</u> (North West Side) From a point 15 metres south west of its junction with Turf Pit Lane for a distance of 8 metres in a south westerly direction	At Any Time		Mon - Sat 7.30 - 9.30am and Mon – Fri 4 – 6.30pm
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APPENDIX A
COPY OF MOD GOV REPORT



Oldham
Council

Delegated Decision

Haven Lane, Moorside – Proposed Prohibition of Waiting and Peak Time Loading Restrictions

Report of: Executive Director, Economy, Skills and Neighbourhoods

Officer contact: Darryll Elwood, Technical Admin Officer
Ext. 1964

6 February 2018

Reason for Decision

The purpose of this report is to consider an extension to the double yellow lines and peak time loading restriction along Haven Lane, near to its junction with Turf Pit Lane, Moorside, due to obstructive parking problems that have been reported and observed.

Recommendation

It is recommended that no waiting at any time (double yellow lines) and peak time loading restrictions be introduced in accordance with the schedules at the end of this report.

Delegated Decision

Haven Lane, Moorside – Proposed Prohibition of Waiting and Peak Time Loading Restrictions

1 Background

- 1.1 Complaints have been received concerning obstructive parking taking place along Haven Lane where the road narrows, near to its junction with Turf Pit Lane.
- 1.2 Haven Lane is predominantly residential, but experiences a high volume of traffic that uses the street as a short cut between the Watersheddings and Moorside areas. When parking occurs within the narrow section, difficulty is experienced gaining access to and from Turf Pit Lane. Whilst its junction with Haven Lane is currently protected by double yellow lines and a peak time loading restriction, the narrow section is unprotected and results in parking taking place on both sides of the road.
- 1.3 Observations undertaken at the junction have revealed that parking is regularly taking place and it is felt that the waiting and loading restrictions should be extended to improve access for both residents and through traffic.
- 1.4 Observations have also revealed that vehicles parking in this location are parking partially or fully on the footway forcing pedestrians to walk in the carriageway, therefore creating a highway safety issue.

2 Options/Alternatives

- 2.1 Option 1: To approve the recommendation.
- 2.2 Option 2: Not to approve the recommendation.

3 Preferred Option

- 3.1 The preferred option to approve is Option 1.

4 Justification

- 4.1 In view of the obstructive parking practices that have been observed, it is felt that the existing waiting and loading restrictions be extended along Haven Lane, in accordance with drawing number 47/A4/1486/1 and the schedule at the end of this report.

5 Consultations

- 5.1 G.M.P. View - The Chief Constable has been consulted and has no objection to this proposal.

5.2 T.f.G.M. View - The Director General has been consulted and has no comment on this proposal.

5.3 G.M. Fire Service View - The County Fire Officer has been consulted and has no comment on this proposal.

5.4 N.W. Ambulance Service View - The County Ambulance Officer has been consulted and has no comment on this proposal.

6 Comments Of St James Ward Councillors

6.1 The Ward Councillors have been consulted and no comments were received.

7 Financial Implications

7.1 The cost of introducing this order is shown below:

	£
Advertisement of Order	1,800
Road Marking Costs	500
Provision of Signs	700
TOTAL	3,000
Annual Maintenance Costs (calculated November 2017)	240

7.2 The initial advertising, road marking and signage costs totalling £3,000 will be funded from cost centre 40916 (Highways Operations – Unity).

7.3 The annual maintenance costs estimated at £240 per annum will be met from cost centre 40350 (Highways Operations). If there are pressures in this area as the financial year progresses, the Directorate will have to manage its resources to ensure that there is no adverse overall variance at the financial year end. (Nigel Howard/Sadrul Alam)

8 Legal Services Comments

8.1 The Council must be satisfied that it is expedient to make the Traffic Regulation Order in order to avoid danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or for preventing damage to the road or to any building on or near the road, or for facilitating the passage on the road or any other road of any class of traffic, including pedestrians, or for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property or for preserving or improving the amenities of the area through which the road runs.

In addition to the above, under section 122 of the Road Traffic Regulation Act 1984, it shall be the duty of the Council so to exercise the functions conferred on them by the Act as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Regard must also be had to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run, the strategy produced under section 80 Environmental Protection Act 1990 (the national air quality strategy), the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles and any other matters appearing to the Council to be relevant. (A Evans)

9 Co-operative Agenda

9.1 In respect of extending the waiting and loading restrictions along Haven Lane, there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

10 Human Resources Comments

10.1 None.

11 Risk Assessments

11.1 None.

12 IT Implications

12.1 None.

13 Property Implications

13.1 None.

14 Procurement Implications

14.1 None.

15 Environmental and Health & Safety Implications

15.1 Energy – Nil.

15.2 Transport – Nil.

15.3 Pollution – Nil.

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- 15.4 Consumption and Use of Resources – In accordance with current specifications.
- 15.5 Built Environment – Minor alteration to visual appearance of area.
- 15.6 Natural Environment – Nil.
- 15.7 Health and Safety – The removal of obstructive parking will create a safer environment for highway users.
- 16 **Equality, community cohesion and crime implications**
- 16.1 Nil.
- 17 **Equality Impact Assessment Completed?**
- 17.1 No.
- 18 **Key Decision**
- 18.1 No.
- 19 **Key Decision Reference**
- 19.1 Not applicable.
- 20 **Background Papers**
- 20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :
- None.
- 21 **Proposal**
- 21.1 It is proposed that no waiting at any time and peak time loading restrictions be introduced along part of Haven Lane, Moorside, in accordance with the following schedule.

Schedule


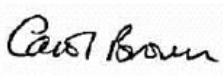
No Waiting at Any Time and No Loading Mon – Sat 7.30 – 9.30 am
and Mon – Fri 4.00 -6.30 pm

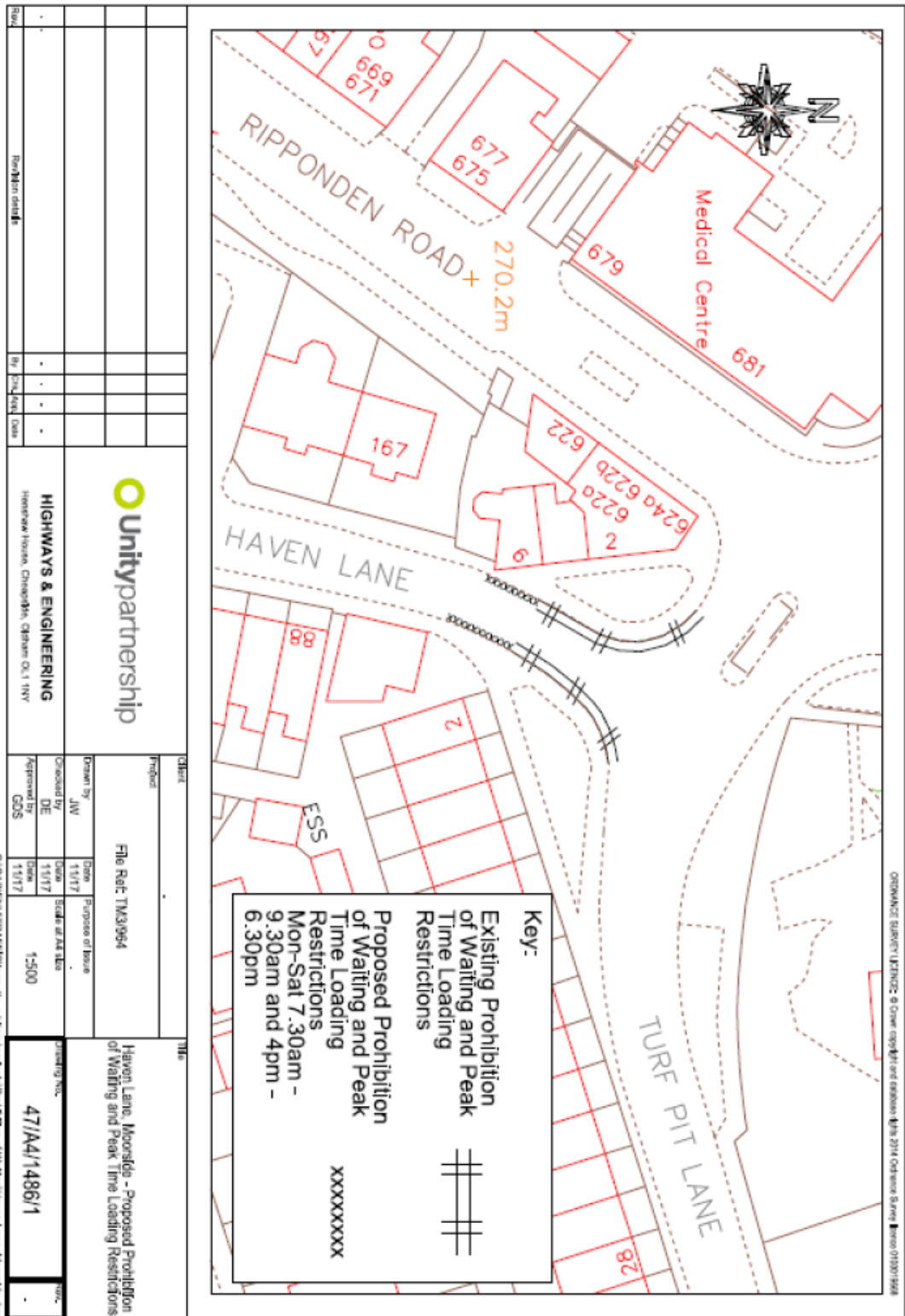
Drawing Number 47/A4/1486/1

Add to the Oldham Borough Council (Oldham area) Consolidation Order 2003
Add to Part 1 Schedule 1

Column 1 Item No	Column 2 Length of Road	Column 3 Duration	Column 4 Exemptions	Column 5 No Loading
	<u>Haven Lane</u> (South East Side) From a point 15 metres south west its junction with Turf Pit Lane for a distance of 6 metres in a south westerly direction	At Any time		Mon – Sat 7.30 – 9.30am and Mon – Fri 4pm – 6.30 pm
	<u>Haven Lane</u> (North West Side) From a point 15 metres south west of its junction with Turf Pit Lane for a distance of 8 metres in a south westerly direction	At Any Time		Mon – Sat 7.30 – 9.30am and Mon – Fri 4pm – 6.30 pm

APPROVAL

Decision maker Signed  Cabinet Member, Environmental Services	Dated _____09/02/18_____
In consultation with Signed  Director Of Environmental Services	Dated _____07/02/18_____



APPENDIX B
COPY OF OBJECTIONS (PETITION NOT INCLUDED)

Ripponden Rd
Moorside
Oldham

REF: LJM/TO18/13

17 May 2018

OBJECTION TO THE ORDER FOR YELLOW LINES ON HAVEN LANE.

To Whoever this may concern

I am writing to object against the plan to place yellow lines on haven lane.

As business owner on Ripponden Rd adjoining haven lane and turf pit lane, I fear these plans have given me serious cause for concern for the future of my business of over 14 yrs, as most of my loyal customers park in this area.

Unfortunately the parking situation is already an issue for many residents and surrounding business' as there is not enough of it due to health centre, pharmacy, garage on haven lane and local residents. This will have a massive impact on where our customers will park and therefore our business'

This is a lane and double parked all the to the top as residents have no alternative parking either. It will create mayhem and distress for all in the area who have incidentally lived here for many many years.

I fear the only people who may benefit from such restriction would be the building constructors further up the lane and who probably requested it. They will be long gone while long standing residents and loyal customers have to live with the inconvenience of not being able to park in front of their own property.

I do hope this is going to be reconsidered as a bad future plan for haven lane/turf pit lane

Regards

Haven Lane
Moorside
Oldham
Lancs

Date: 26th April 2018

REF: LJM/TO18/13

Objection to the order for yellow lines on Haven Lane/Turf Pit Lane

Dear Sir/Madam,

Following discussion with a local councilor, I am writing to object against the council placing yellow lines on Haven Lane/Turf Pit Lane upon the following grounds.

We initially became aware of the above when informed by the owner of the garage on Haven Lane. Following this, notices have been placed on lamp posts around the area from Oldham Council stating that this must be enforced to prevent people parking on both sides of the lane outside our home.

This problem arose when houses were built on Havenside and worsened by the building of more houses on Redrow. These houses were passed by Oldham Council.

After owning our house - Haven Lane for 25 years, and having recently spent £900.00 upgrading our CCTV due to car crime around Haven Lane, I believe this will dramatically reduce the price of our home, which when purchased was not surrounded by traffic lights or yellow lines.

If the above order is carried out, I will be compelled to park my car outside two businesses on Ripponden Road, affecting their businesses as customers will be unable to park. In addition, this will also affect the garage and the barbers on Haven Lane whose customers also use this road to park. In total, affecting four businesses.

This raises the question – where are we, as home owners on Haven Lane going to park?

I trust that liability for either dispensation or failing that, a resident parking permit will be provided if the above is carried out.

Regards,