

**Report to TRO Panel**

## **Sandy Lane, Dobcross – Objection to Proposed Double Yellow Lines**

**Portfolio Holder:**

Councillor A Shah, Cabinet Member for Neighbourhood Services

**Officer Contact:** Deputy Chief Executive – People and Place

**Report Author:** Sarah Robinson, Traffic Engineer  
Ext. 4377

**26 July 2018**

**Reason for Decision**

The purpose of this report is to consider two objections received to the proposal to introduce yellow lines along part of Sandy Lane, Dobcross.

**Recommendation**

It is recommended that notwithstanding the objections received, the yellow lines be introduced as originally proposed, in accordance with the schedule at the end of this report.

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**Sandy Lane, Dobcross – Objection to Proposed Double Yellow Lines****1 Background**

- 1.1 A proposal to introduce double yellow lines along part of Sandy Lane, Dobcross, was approved under delegated powers on 30 November 2018; a copy of the report detailing the reason for the yellow lines is attached at Appendix A. The proposal was subsequently advertised and two letters of objection have been received, which are attached at Appendix B.
- 1.2 The yellow lines were proposed further to a complaint received from a resident of Dobcross regarding difficulties being experienced gaining access to the passage, adjacent to number 4 Sandy Lane, when motorists choose to park opposite its entrance when visiting The Swan Public House. The passage gives access to residential properties and off street parking.
- 1.3 The Swan public house is a very popular eating establishment, with many of its customers arriving by car. The pub does not have its own private car park; consequently customers have to find space within the adjacent highway to park.
- 1.4 The roads in the vicinity of the pub are particularly narrow and there is very little or no footway provision; consequently to maintain access for moving traffic and the bus service, it is not possible to park within The Square area itself. Motorists visiting the pub therefore tend to park wherever they feel it is appropriate, with one of the areas being along Sandy Lane adjacent the pub building. This area can accommodate approximately 3 vehicles and is located directly opposite to the access adjacent to number 4 Sandy Lane. When vehicles are parked in this area some motorists find difficulty gaining access to and from the passage.
- 1.5 To alleviate the problems being experienced, yellow lines have been requested to prevent motorists from parking.
- 1.6 The carriageway width of Sandy Lane, at this location, is approximately 6 metres, which would be narrowed to approximately 3 metres when vehicles are parked. As the parking adjacent the pub could also be affecting vehicle manoeuvres at the Platt Lane junction, it is felt that double yellow lines should be introduced to prevent parking taking place.

**2 Options/Alternatives**

- 2.1 Option 1 – Approve the Recommendation
- 2.2 Option 2 – Not to Approve the Recommendation

**4 Preferred Option**

- 4.1 The preferred option is Option 1

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## 5 Consultation

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

## 6 Comments of Saddleworth North Ward Councillors

6.1 The Ward Councillors have been consulted and Councillor P Byrne comment 'I would concur with my colleagues Cllrs Heffernan and Harkness on approval of these yellow lines but having read one of the letters of objection from a resident of Sandy Lane that they are a family of some disability and wonder is a bay marked for the disabled could be created there.'

## 7 Response to Councillors Comment

7.1 It is appreciated the difficulties that residents can experience parking in Dobcross village, particularly disabled residents, but the primary purpose of a highway is to maintain access for moving traffic; parking is only considered appropriate if it is not obstructive / problematic.

7.2 In the case of Sandy Lane, the parking taking place along this particular length has become problematic consequently the provision of a disabled bay would create the same problems. If the yellow lines were not being proposed and an application for a disabled bay was received, a bay at this location would not be approved.

7.3 Even if it was appropriate for a disabled bay to be introduced, these facilities can be used by any blue badge holder, so it could not be guaranteed that the resident would have regular use of the bay.

## 8 Financial Implications

8.1 These were dealt with in the previous report.

## 9 Legal Services Comments

9.1 These were dealt with in the previous report.

## 10 Co-operative Agenda

10.1 In respect of the introduction of yellow lines along Sandy Lane, Dobcross there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

## 11 Human Resources Comments

11.1 None.

## 12 Risk Assessments

12.1 None.

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- 13 **IT Implications**
- 13.1 None.
- 14 **Property Implications**
- 14.1 None.
- 15 **Procurement Implications**
- 15.1 None.
- 16 **Environmental and Health & Safety Implications**
- 16.1 These were dealt with in the previous report.
- 17 **Equality, community cohesion and crime implications**
- 17.1 The introduction of yellow lines along Sandy Lane may result in parking problems for some residents who may use this area to park, but unobstructed access and highway safety take priority over the need to park.
- 18 **Equality Impact Assessment Completed?**
- 18.1 No.
- 19 **Key Decision**
- 19.1 No.
- 20 **Key Decision Reference**
- 20.1 Not applicable.
- 21 **Background Papers**
- 21.1 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.
- 22 **Appendices**
- 22.1 Appendix A – Copy of ModGov Report  
Appendix B – Copy of Objections

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23 **Proposal**

23.1 It is proposed that notwithstanding the objections received the yellow lines be introduced without amendment, in accordance with the following schedule.

Schedule  
Drawing Number 47/A4/1484/1

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

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Sandy Lane</u> (South East Side)  Extending from its junction with The Square for a distance of 15 metres in a north easterly direction	At Any Time		

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**APPENDIX A**  
**COPY OF MODGOV REPORT**



**Oldham**  
Council

## **Delegated Decision**

# **Sandy Lane, Dobcross – Proposed Prohibition of Waiting**

Report of: Executive Director, Economy, Skills and Neighbourhoods

Officer contact: Sarah Robinson, Traffic Engineer  
Ext. 4377

**28 November 2017**

### **Reason for Decision**

The purpose of this report is to consider the introduction of prohibitive waiting restrictions along part of Sandy Lane Dobcross, to alleviate obstructive parking problems being experienced by residents wishing to access the passage adjacent to number 4 Sandy Lane.

### **Recommendation**

It is recommended that no waiting at any time restrictions be introduced along part of Sandy Lane, Dobcross, in accordance with the schedule at the end of this report.

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## Delegated Decision

### Sandy Lane, Dobcross – Proposed Prohibition of Waiting

#### 1 Background

- 1.1 A complaint has been received from a resident of Dobcross regarding difficulties being experienced gaining access to the passage, adjacent to number 4 Sandy Lane, when motorists choose to park opposite its entrance when visiting The Swan Public House. The passage gives access to residential properties and off street parking.
- 1.2 The Swan public house is a very popular eating establishment, with many of its customers arriving by car. The pub doesn't have its own private car park, consequently customers have to find space within the adjacent highway to park.
- 1.3 The roads in the vicinity of the pub are particularly narrow and there is very little or no footway provision; consequently to maintain access for moving traffic and the bus service, it is not possible to park within The Square area itself. Motorists visiting the pub therefore tend to park wherever they feel it is appropriate, with one of the areas being along Sandy Lane adjacent the pub building. This area can accommodate approximately 3 vehicles and is located directly opposite to the access adjacent to number 4 Sandy Lane. When vehicles are parked in this area some motorists find difficulty gaining access to and from the passage.
- 1.4 To alleviate the problems being experienced, yellow lines have been requested to prevent motorists from parking.
- 1.5 The carriageway width of Sandy Lane, at this location, is approximately 6 metres, which would be narrowed to approximately 3 metres when vehicles are parked. As the parking adjacent the pub could also be affecting vehicle manoeuvres at the Platt Lane junction, it is felt that double yellow lines should be introduced to prevent parking taking place.

#### 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.



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**4 Justification**

4.1 In view of the access problems being experienced when vehicles are parked within Sandy Lane, adjacent to The Swan Public House, it is felt that double yellow lines should be introduced to alleviate the problem.

**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 objection to 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 Saddleworth North Ward Councillors**

6.1 The Ward Councillors have been consulted and Councillor D Heffeman would not disagree with the proposal and Councillor G Harkness supports the proposal.

**7 Financial Implications**

7.1 The cost of making this restriction along with initial road marking and maintenance thereafter is as follows:

	£
Advertisement of order	2,000
Road Markings	500
Total – Advertising/Road Markings	<u>2,500</u>
Annual Maintenance Costs (estimated October 2017)	<u>100</u>

7.2 The advertising and initial road marking cost of £2,500 will be funded from cost centre 40916 (Highways Operations – Unity).

7.3 The annual maintenance costs estimated at £100 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)

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## **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.

8.2 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 prohibiting waiting along part of Sandy Lane, Dobcross, 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.

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**14 Procurement Implications**

14.1 None.

**15 Environmental and Health & Safety Implications**

15.1 Energy – Nil.

15.2 Transport – Nil.

15.3 Pollution – Nil.

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 introduction of yellow lines will improve access to the passage opposite and also improve safety for all users at the Platt Lane junction.

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

16.1 None.

**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 restrictions be introduced along Sandy Lane, Dobcross, in accordance with the following schedule.

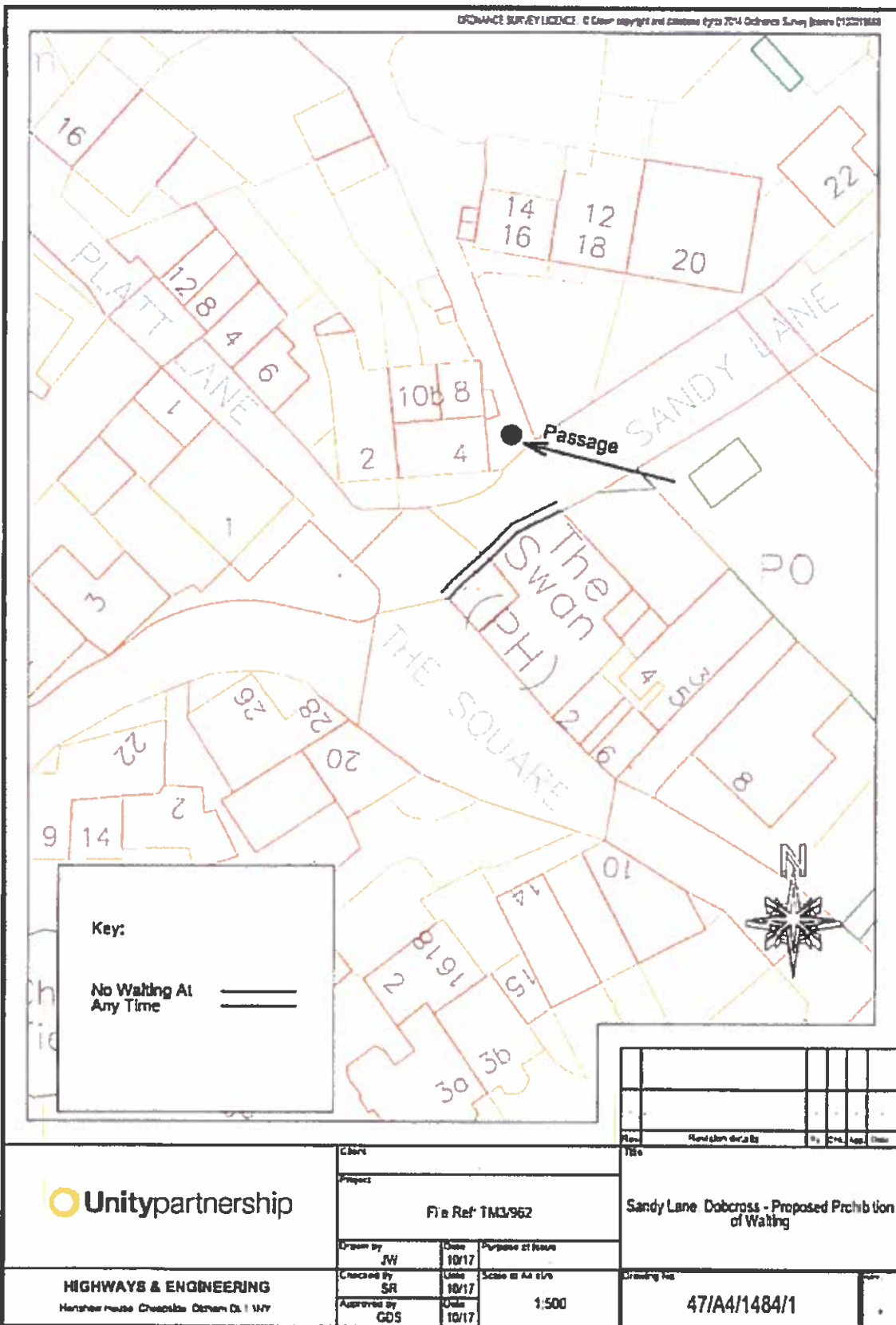
Schedule  
Drawing Number 47/A4/1484/1


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

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<p><u>Sandy Lane</u> (South East Side)</p> <p>Extending from its junction with The Square for a distance of 15 metres in a north easterly direction</p>	At Any Time		


**APPROVAL**

<p><b>Decision maker</b></p> <p>Signed </p> <p>Cabinet Member, Environmental Services</p>	Dated: 30/11/17
<p><b>In consultation with</b></p> <p>Signed </p> <p>Director Of Environmental Services</p>	Dated: 29/11/17



Key:  
 No Waiting At Any Time 

Rev	Description	By	Crn	App	Date

 <b>HIGHWAYS &amp; ENGINEERING</b> Mansfield House Chesterleaze Octon DL1 1WY	Client Project <b>File Ref: TM3/962</b>	Title <b>Sandy Lane Dobcross - Proposed Prohibition of Waiting</b>	
	Drawn by Checked by Approved by	Date Date Date	Purpose of Issue Scale as A4 size 1:500
	Drawing No. <b>47/A4/1484/1</b>	Date 10/17	Date 10/17

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**APPENDIX B**  
**COPY OF OBJECTIONS**

[Redacted]

16/12/2018.

Daryl Elwood  
Highways Engineering,  
Traffic Section, Floor 1  
Henshaw House  
OL1 1WY

Your ref: 26/GNS/TM3/962

Dear Sirs,

I attach my representation with regards to the proposed traffic restrictions at Debsm.

I'm afraid that the printed version did not match the layout I intended on screen, but nevertheless the content of my attached document is clear.

Kindly acknowledge safe receipt.

Yours faithfully,

[Redacted]

Oldham MBC  
Highways & Engineering  
Traffic Section, Floor 1  
Henshaw House  
Chicapside  
Oldham  
OL1 1NY  
Your ref: DE/GD5/TA13/063

Dear Sirs,  
RE: PROPOSED PARKING RESTRICTION:  
DOUBLE YELLOW LINES, SANDY LANE, DOBCHROSS.

I write to you having considered the plans that are available and as a resident directly impacted by the proposals I live at the above address which affords no private parking whatsoever. My only parking option is on street which your proposal by its very nature would make parking significantly more difficult. All the neighbours in this immediate area are in a similar position. My view, which I shall expand upon, is that I feel after due consideration that I am wholly in opposition to the proposals.

As a preliminary point, I observed that you placed a notice on post at the foot of the passageway or lane that connects my house to Sandy Lane itself. However about two days or so later, the notice was gone. I assumed that this must have been removed by yourselves and that the proposed scheme was withdrawn. I have subsequently learnt that this is not the case. I am concerned that in the absence of the notice (for whatever reason) insufficient notice has been given to those affected by the proposal, or individuals who have a legitimate interest in this matter may have been misled by the absence of the notice. In these circumstances it is clear that insufficient notice has been given and may render your procedures unlawful.

In order to respond fully to the proposal it is essential that I am supplied with the materials in your possession that give information as to why such a proposed scheme is thought to be necessary and beneficial. The notice and the plan are the only documents that I have seen and they do not provide that information. As a matter of course, I earnestly attempt to resist speculation nonetheless I make the following points:

1. If you have representations from residents or others then potentially those may not be motivated by factors purely connected with good traffic management. Although instructive as they may be, they cannot be determinative and seldom provide a proper basis for imposition of regulatory arrangements.
2. I would expect you to have an engineer's survey and report to underpin the proposals and I would be most obliged to receive a copy of the same.
3. If your rationale is in connection with traffic collisions then I would be grateful if you would provide me with the statistics and any traffic management reports in connection with the same.

I am sure that you understand the need for such documents to justify your proposals and also to allow proper representations to be made. If there are any other factors relied on then I would be obliged if you would acquaint me with them.

I will now turn to my objections to the scheme based on the information that I have available whilst reserving the right to submit further representations if any further information comes to light about the scheme.

The backdrop to the case is that Dobcross is a historic village that began life centuries ago. Its road lay out was designed for horse powered travel and when the use of motor vehicles could not have been foreseen, let alone at the levels of motor vehicle usage that exists today. Many properties have no dedicated parking space of their own.

The Swan is our village pub. It is at the heart of our community physically, socially and culturally. It attracts people from far and wide who drive here to enjoy a meal at the Swan. If parking became more difficult, visitors may simply give up the search for a space and drive on to another venue for their meal out. If it gains a reputation for the impossibility of its parking, people may not come at all. I am informed that the visitors who come here for a meal are vital to the profits of the Swan and without them, the future of the pub itself may be in jeopardy and consequently, so would the quality of the community and its social life. (It is a matter of record that public houses are increasingly in jeopardy and closing at the rate of about 33 per week across the country and that food sales are vital). The loss of the pub would be not only disastrous for the village and its visitors but also for the workers at the establishment potentially involving loss of employment of the landlord, bar staff, kitchen staff and other ancillary workers e.g. cleaners, maintenance staff, technical staff, external caterers and sundry suppliers.

Parking restrictions seldom solve the root of parking problems but merely displace them elsewhere, in this case causing difficulties to individuals because 'elsewhere' may be a significant distance away, up or down a steep hill and, in the case of Sandy Lane, it is without pavement for most of its length. This is significant. I have two neighbours who have family members that are vulnerable. I do not speak for such neighbours; they can make their own points but their circumstances do go against your proposals in my view. My neighbours at number 16 are a young couple who are very shortly this month about to have home with them their first child. It is vital that they be permitted parking as close to their home as possible. I cannot envisage the sheer danger and difficulty that would be faced by the mother having to walk along the lane for say 30 - 100 yards with a new born baby in arms, carrying the kit that is required with a baby, along the road because there is no pavement, in the face of traffic and of course all this becomes worse in winter with early darkness, poor weather and often dangerously



Similarly, my neighbours at number 4 are an elderly lady, who is blind and frail, and her son who cares for on a day to day basis by her son. Her daughter collects her weekly to take her out for personal care and parking is required in the very immediate vicinity for this purpose. The difficulties I have described concerning the baby are several times worse and more complex, and indeed dangerous for my neighbours at number 4 with their most demanding circumstances. Walking any meaningful distance for her is impossible. The present parking arrangements are vital to her welfare.

I personally have no choice other than to use on street parking for my vehicle and some inconvenience is bound to result as a consequence of the loss of the parking space through restriction, but the circumstances of others are manifestly more compelling than my own.

I have tried to understand the rationale behind your proposals but I struggle to find a reasonable answer. It would clearly hinder an already difficult parking situation. It would not make the road safer. It would transfer parking across the road (in front of 4 Sandy Lane worsening the problems I outlined above) which would in itself cause danger with traffic coming down Platt Lane turning left around a blind corner into Sandy Lane.

If your concerns are traffic management then there are other options for consideration:

1. Make the junction clearer. The white lines are virtually illegible. Paint them.
2. Tackle speeding. Impose a speed restriction of 15mph around the Square.
3. Provide parking for residents.
4. Purchase and open a car park for visitors.

Any or all of the above would be a positive contribution to the traffic management of Dabeross. Your ill considered and illogical proposal would not be. I suggest you abandon it forthwith. If you seek to pursue the matter then I would be grateful for your reasoned response to this letter together with the details and documents that I have mentioned above and allow further time for response.



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Dear Sir,

I am writing with concern over the proposed order and wish to point out a number of what I consider weaknesses and indeed dangers resulting from the above proposal.

1. The proposal as outlined is I feel bound to lead to people parking on the other side of Sandy Lane in front of both my house and number 2. I have a disabled mother and both I and my sister need access at all times to the front of the house as our mother is blind and needs to be guided at all time. I feel sure the result of these plans will make this much more difficult if not impossible.
2. Villages like Dobcross were never built with any thought of parking this said I understand that if an issue regarding access up the road were problematic then some case could be made however I am not aware of this being the case, all these plans do is lead unnecessarily to people being forced to park further up the hill.
3. Parking along the entrance to the Swan Public House means that anyone approaching the turn from the Square is on the left hand side giving easy view of parked cars as the turn right onto the road if the traffic was to park on the opposite side to the Swan then traffic turning left as it approached Sandy Lane would be turning directly through a blind bend (there is a tall hedge on this corner in front of 2 Sandy Lane which blocks any forward view of the bend) into parked cars, At the moment it is very rare for traffic to park on this side for this very reason. I feel sure should these plans be progressed in their current form accidents will follow.
4. The land immediately to the side of 4 Sandy Lane is marked on your map as passage this is incorrect the land to the side of the house is private parking for 4 Sandy Lane. Cars parking in front of this residence would become a source of nuisance blocking both access to the front of the house and the side of the house...this I do have experience of.

I would ask you to review these plans in the light of these problems outlined.

Yours