

Report to TRO Panel

Objections to the Proposed Prohibition of Waiting – Otmoor Way, Royton

Portfolio Holder:

Councillor A Ur-Rehman, Cabinet Member for Neighbourhood Services

Officer Contact: Deputy Chief Executive – People and Place

Report Author: Darryll Elwood – Traffic and Network Management
Ext. 1946

14 November 2019

Reason for Decision

The purpose of this report is to consider 1 letter of objection (see Appendix A) to the current proposal to introduce a Prohibition of Waiting Order on Otmoor Way, Royton, in the form of double yellow lines.

Recommendation

The scheme has now been amended and it is recommended that the Panel supports the proposals shown in the schedule and plan at the end of this report.

Objection to the Proposed Prohibition of Waiting – Otmoor Way, Royton**1 Background**

- 1.1 Complaints were received from residents of Otmoor Way via their Local Ward Member, requesting the introduction of waiting restrictions on Otmoor Way at its junction with Oldham Road, Royton to remove obstructive parking from within the junction.

2 Current Position

- 2.1 Observations revealed that a small number of residents do park in this location. In addition, the problem can be further exacerbated by parents/carers picking up and dropping of children not only at the start and finish of the school day from St Joseph's Primary but also Newbank Day Nursery located adjacent Otmoor Way on Oldham Road and whilst there are no specific start and finish times for the Nursery children, parents park for short periods of time throughout the day but the situation can continue over long periods of time.
- 2.2 When the proposal was advertised one objection was received (see Appendix B). The objection related to the proposed length of the double yellow lines, as they would cover the majority of the objector's driveway and they feel they will suffer if the restrictions are implemented at the proposed length.
- 2.3 The original proposal was considered to ensure the residents' driveways would not be obstructed should motorists start to park directly at the end of the waiting restrictions. However, in light of the resident's objection, there is no reason why the proposed length of waiting restriction cannot be reduced outside their property. That said, should the residents find obstructive parking then occurs in front of their driveway their only option would be to apply for an Access Protection Marking which would need to be funded by themselves.
- 2.4 The objector also advised in his letter that the resident living opposite felt the same, however, to date no representation has been received from this resident. In light of the comments made, a letter was sent explaining the reason the 15 metres length of waiting restrictions was proposed and requesting they consider their options (see Appendix C). The objector has responded requesting the double yellow lines outside their property are reduced to 10 metres, however, no response again has been received from the other resident. In view of this it is recommended the Panel support the amendment to the proposal as shown in the schedule and plan at the end of this report.

3 Options/Alternatives

- 3.1 Option 1: To introduce a No Waiting at Any Time Traffic Regulation Order as originally proposed.
- 3.2 Option 2: Rescind the proposed Traffic Regulation Orders
- 3.3 Option 3: To introduce, the amended proposals discussed in paragraphs 2.2 and 2.3 and 2.4.

4 Preferred Option

- 4.1 Option 3: To introduce, the amended proposals discussed in paragraphs 2.2 and 2.3 and 2.4.

5 Comments of the Crompton Ward Councillors

- 5.1 The Ward Councillors have been consulted and Councillor D Williamson and Councillor D Murphy support Option 3.

6 Financial Implications

- 6.1 These were dealt with in the previous report.

7 Legal Services Comments

- 7.1 These were dealt with in the previous report.

8 Co-operative Agenda

- 8.1 In respect of the proposal there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

9 Human Resources Comments

- 9.1 None.

10 Risk Assessments

- 10.1 None.

11 IT Implications

- 11.1 None.

12 Property Implications

- 12.1 None.

13 Procurement Implications

- 13.1 None.

14 Environmental and Health & Safety Implications

- 14.1 These were dealt with in the previous report.

15 Equality, community cohesion and crime implications

- 15.1 These were dealt with in the previous report.

16 **Equality Impact Assessment Completed?**

16.1 No.

17 **Key Decision**

17.1 Not applicable.

18 **Key Decision Reference**

18.1 Not applicable.

19 **Background Papers**

19.1 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.

20 **Appendices**

20.1 Appendix A – Copy of Delegated Report
Appendix B – Copy of Objection
Appendix C – Copy of Letter to Objector

21 **Proposal**

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

Schedule

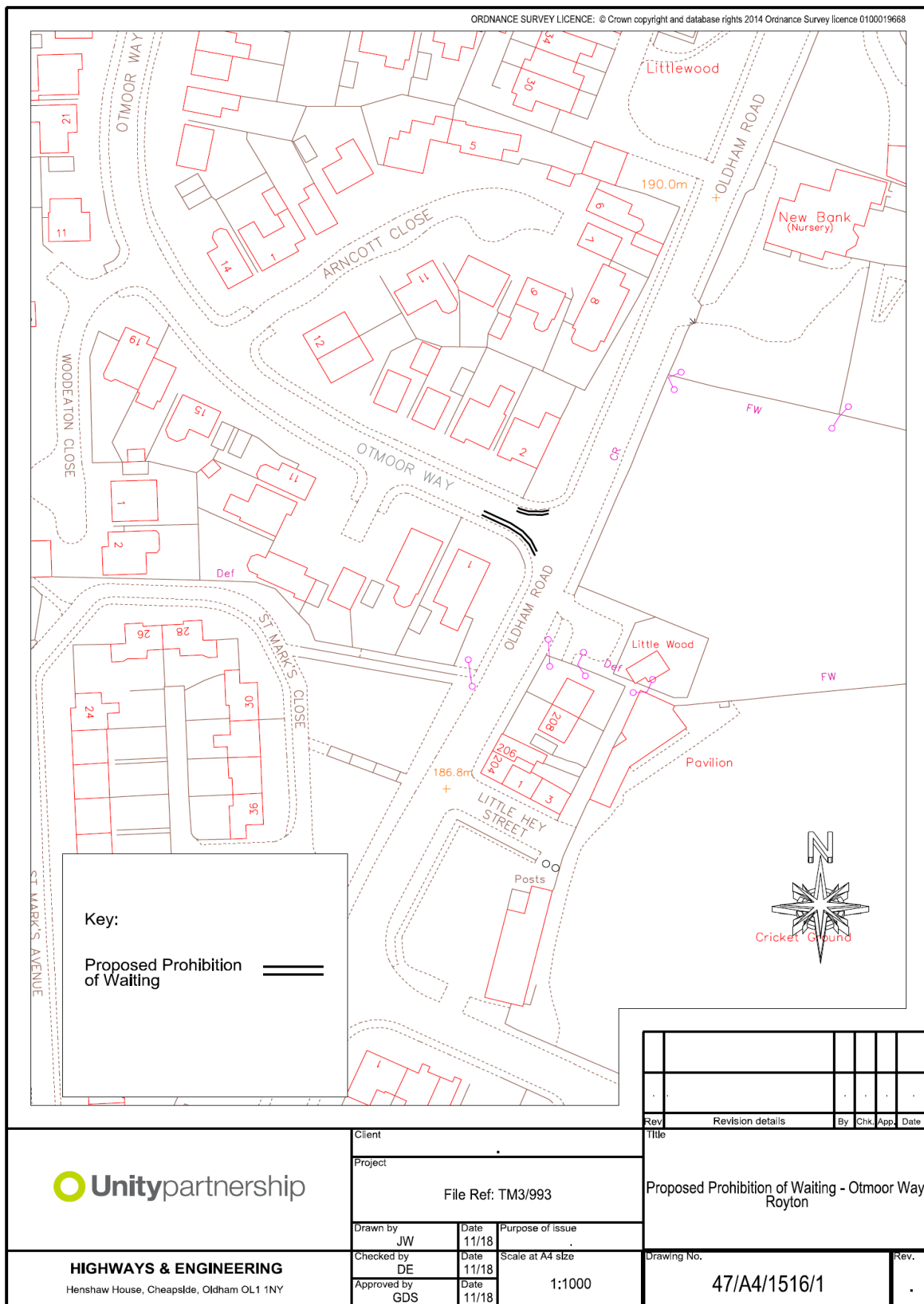
Drawing Numbers 47/A3/1516/1–V2 – Otmoor Way, Royton

Add to the Oldham Borough Council (Crompton Area) Consolidation Order 2003

Part 1 Schedule 1

Column 1	Column 2	Column 3	Column 4	Column 5
Item No.	Length of Road	Duration	Exemptions	No Loading
	<u>Otmoor Way</u> (North Side) Extending from its junction with Oldham Road for a distance of 10 metres in a north westerly direction	At Any Time	A, B1, B3, B4, C, E, K3	

	<u>Otmoor Way</u> (South Side) Extending from its junction with Oldham Road for a distance of 15 metres in a north westerly direction	At Any Time	A, B1, B3, B4, C, E, K3	
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TM3/993

g:\common\dec_rec\354

30.10.19

APPENDIX A
COPY OF DELEGATED REPORT

Delegated Decision

Proposed Prohibition of Waiting - Otmoor Way, Royton

Report of: Deputy Chief Executive – People and Place

Officer contact: Lucy Tindall
Ext. 3205

28 November 2018

Purpose of Report

The purpose of this report is to consider the introduction of prohibitive waiting restrictions (double yellow lines) on Otmoor Way, Royton at its junction with Oldham Road to alleviate obstructive parking currently taking place.

Recommendation

It is recommended that 'No waiting - at any time' restrictions to be introduced on Otmoor Way, Royton in accordance with the schedule at the end of this report.

Proposed Prohibition of Waiting - Otmoor Way, Royton

1 Background

- 1.1 Complaints have been received from residents and Local Ward Members regarding obstructive parking on Otmoor Way within close proximity to its junction with Oldham Road. In light of the problematic parking taking place, it has been requested waiting restrictions in the form of double yellow lines be introduced on Otmoor Way.

2 Current Position

- 2.1 Observations have revealed a small number of residential vehicles do park on Otmoor Way within close proximity to its junction with Oldham Road, including a larger transit type van which can obstruct the free flow of traffic through the junction, when vehicles are waiting to exit and other vehicles are trying to enter Otmoor Way from Oldham Road.
- 2.2 In addition, to the above, parking does increase not only at the start and finish of the school day due to the close proximity of Saint Joseph's Primary School but also Newbank Day Nursery is located adjacent Otmoor Way on Oldham Road and whilst there are no specific start and finish times for the Nursery children, parents park for short periods of time throughout the day but the situation can continue over long periods of time.

3 Options/Alternatives

- 3.1 Option 1: To approve the recommendation to introduce waiting restrictions
- 3.2 Option 2: Not to approve the recommendation to introduce waiting restrictions.

4 Preferred Option

- 4.1 The preferred option is Option 1 to introduce waiting restrictions.

5 Justification

- 5.1 In view of the obstructive parking practices taking place it is felt that the introduction of waiting restrictions in the form of double yellow lines should be progressed.

6 Consultations

- 6.1 G.M.P. View - The Chief Constable has been consulted and has no objection to this proposal.
- 6.2 T.f.G.M. View - The Director General has been consulted and has no objection to this proposal.

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

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

7 **Comments of Crompton Ward Councillors**

7.1 The Ward Councillors have been consulted and Councillor D Murphy and Councillor D Williamson support the proposal.

8 **Financial Implications**

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

	£
Advertisement of Order	1,200
Introduction of Road Markings	500
TOTAL	1,700
Annual Maintenance costs (calculated August 2018)	100

8.2 The advertising and initial road marking cost of £1,700 will be funded from cost centre 40916 (Highways Operations – Unity).

8.3 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)

9 **Legal Services Comments**

9.1 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.

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- 9.2 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)

10 Co-operative Agenda

- 10.1 In respect of this proposal 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.

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 Energy – Nil.
- 16.2 Transport – Nil.
- 16.3 Pollution – Nil.
- 16.4 Consumption and Use of Resources – Nil.

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- 16.5 Built Environment – Nil.
- 16.6 Natural Environment – Nil.
- 16.7 Health and Safety – The introduction of waiting restrictions on Otmoor Way at its junction with Oldham Road, as detailed, will create a safer environment for both motorists and pedestrians.
- 17 **Equality, community cohesion and crime implications**
- 17.1 The removal of obstructive parking from Otmoor Way at its junction with Oldham Road may have a negative effect on community cohesion as residents who park in this location will have to find alternative parking arrangements but priority must be given to highway safety rather than on-street parking.
- 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 **Proposal**
- 22.1 It is proposed that a Traffic Regulation Order be introduced in accordance with the following schedule and drawing number.

Schedule


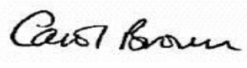
Drawing Number 47/A4/1516/1

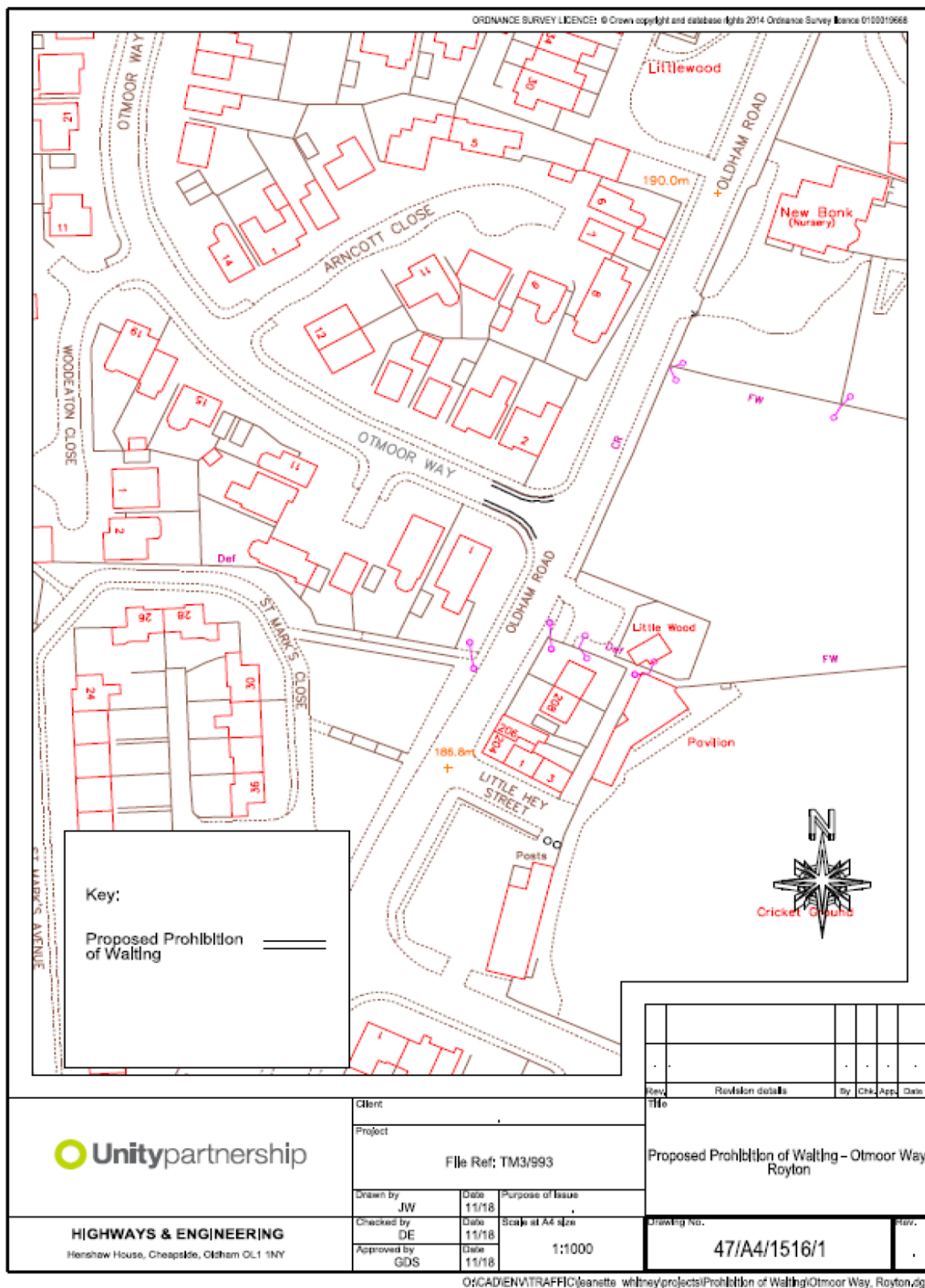
Add to the Oldham Borough Council (Royton area) Consolidation Order 2003

Part 1 Schedule 1

Column 1 Item No	Column 2 Length of Road	Column 3 Duration	Column 4 Exemptions	Column 5 No Loading
	Otmoor Way (Both sides) Extending from its junction with Oldham Road for a distance of 15 metres in a north westerly direction	At Any Time		

APPROVAL

Decision maker Signed  Cabinet Member, Neighbourhood Services	Dated: 15/01/19
In consultation with Signed  Director Of Environmental Services	Dated: 05/12/18



APPENDIX B
COPY OF OBJECTION

Environment Group Solicitor
to the Council
Civic Centre
West Street
Oldham OL1 1UL

Otmoor Way
Royton
Oldham OL2 6SE

13 March 2019

Dear Sir/Madam,

I am writing to you regarding a Notice of a proposed parking restriction that is to be created at the junction of Otmoor Way with Oldham Road.

Our house and that of our neighbour, on the opposite corner, at number , were the instigators of a request for the parking restrictions at this junction. On the other side of Oldham Road to us is a children's nursery. Unfortunately, parents dropping off or collecting children routinely park right on the junction often on both sides of the junction at the same time. We felt that this was potentially dangerous.

are grateful that the council have responded to this issue. However, our great concern is that the proposed markings are to run for 15 metres from the junction. This will run from Oldham Road virtually across both of our drives. Please note that we are the only two houses affected by this proposal. We will therefore suffer from bringing this safety issue to your attention.

Both ourselves and our neighbour would suggest that the line are run for 10 metres instead (a safety distance referred to in the Highway Code). This would take the lines just to the edge of our respective drives and indeed was what we discussed with the Councillor we asked to look into this issue.

Yours faithfully,



APPENDIX C
COPY OF LETTER TO OBJECTOR

Otmoor Way
Royton
Oldham
OL1 1UL

Highways and Engineering
Traffic Section, Floor 1
Henshaw House, Cheapside
Oldham OL1 1NY

Switchboard: 0161 770 3000
Fax: 0161 770 3411

30 October 2019

Your Ref:
Our Ref: DE/GS/TM3/993

Dear Sir/Madam

Re: Proposed Prohibition of Waiting – Otmoor Way, Royton – TM3/993

I refer to the current proposal to introduce 15 metres of waiting restrictions (double yellow lines), on Otmoor Way at its junction with Oldham Road, Royton and your subsequent objection to the scheme.

I have noted your comments and I am happy to present your objection to the next Traffic Regulation Order (TRO) Panel with a view to reducing the restrictions by 5 metres so they are not in front of your driveway.

However, prior to submitting your objection, I would make you aware that in previous instances similar to this, where driveways have not been protected, motorists have been known to park at the end of the double yellow lines and obstruct driveway entrances.

Prior to a report being submitted to the TRO Panel, please could you consider the above as once the restrictions have been introduced and if obstructive parking results at your driveway the only alternative would be the introduction of Access Protection Marking, the current cost of which is £169.50 and this would need to be funded by yourself.

You have also explained your neighbour opposite is unhappy about the length of the restrictions, therefore, I would be obliged if you could make them aware of the situation.

If you have any queries relating to any of the above please do not hesitate to contact me and I will be more than happy to discuss the matter with you.

The deadline for the next TRO Panel is 4th November 2019, if I have not received any correspondence from you by Monday 28th October, I will assume you still want the double yellow lines reducing and your objection will be presented to the TRO Panel.

Yours faithfully

Mrs Darryll Elwood
Traffic and Network Management
Direct line: 0161 770 1046
Email: darryll.elwood@unitypartnership.com
Doc Ref: de/gs/tm3/993-10-10-19