

Report to TRO Panel

Objections to Proposed Prohibition of Waiting - Denshaw Road, Delph

Portfolio Holder:

Councillor B Brownridge, Cabinet Member for Neighbourhood and Culture

Officer Contact: Deputy Chief Executive – People and Place

Report Author: Darryll Elwood – Technical Support
Ext. 1946

26 November 2020

Reason for Decision

The purpose of this report is to consider 11 letters of objection received to the introduction of an experimental Traffic Regulation Order along Denshaw Road, Delph which resulted in the introduction of prohibition of waiting (double yellow lines). The double yellow lines were introduced on an experimental basis to allow their effect to be monitored, before a decision was made on whether the order should be made permanent.

Recommendations

Notwithstanding the objections received, it is recommended that the Panel supports the introduction of a permanent Order once the experimental period expires 24 January 2021.

Objection to Proposed Prohibition of Waiting - Denshaw Road, Delph**1 Background**

- 1.1 The introduction of an experimental order to prohibit waiting along parts of Denshaw Road, Delph was approved under delegated powers on 3 December 2018 decision reference D3474 refers; a copy of the report is attached at Appendix A.
- 1.2 The experimental order has been introduced along the length of Denshaw Road (North Side) between Clifton Holmes and Pingle Lane following concerns raised from residents on the northerly side of the road that their driveway access was regularly obstructed and pedestrians were being forced to walk further into the carriageway in conflict with moving vehicles. The residential properties located on the north side of Denshaw Road have private off-street parking provision in the form of driveways/garages, but the properties on the south side do not and therefore rely on parking within the highway; it is the residents from the south side of the street who have been utilising the road space on the north side due to the limited parking space available directly outside their properties.
- 1.3 When vehicles are parked on the north side of Denshaw Road, visibility problems arise for residents wanting to enter and exit their private driveways. The absence or narrow width of the footway along this length can also force pedestrians to walk in the carriageway when vehicles park in this location.
- 1.4 The introduction of yellow lines on the North side of Denshaw Road has previously been opposed by residents who are reliant on highway parking, hence the reason for introducing the scheme on an experimental basis to allow their effect to be monitored.

2 The Objections

- 2.1 During the first 6 months of an experimental order objections can be submitted to the measures introduced; 11 Objections have been received which are attached at Appendix B.
- 2.2 The objections mainly concern the lack of on-street parking now available for residents in the terraced properties and a perceived speeding problem resulting from the removal of the 'bottleneck', previously created by parked vehicles on both sides of the road, which now allows traffic to flow freely at higher speeds.
- 2.3 To address the speeding concerns, a speed and volume survey was undertaken in June / July 2019 prior to the waiting restrictions being introduced and again in July 2020 once the restriction had been in place for 12 months. The surveys were undertaken at the same time each year to ensure the volumes, weather conditions etc. were similar; the results are attached at Appendix C. It should however be noted that the lock down restrictors relating to the Covid pandemic should be taken into consideration with regards to the volume of vehicles recorded. The survey data shows the average speed of traffic in the 2019 survey in all directions is 32.2mph and in the 2020 survey in all directions is 29.3mph. In light of these results the concerns of the residents have not been realised.

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- 2.4 With regards to the removal of available on-street parking, whilst there is a reluctance to introduce any form of restrictive parking in residential areas, once a highway safety issue has been reported, particularly on a road of this nature, the Highway Authority would be failing in its duty of care if these issues were not investigated and measures introduced to try and alleviate the problem.
- 2.5 Properties similar to the ones located on the south side of Denshaw Road are located throughout the Saddleworth area, and are now highly sought after, but purchasers may not give enough consideration to where they will keep their vehicles when they are not in use. Parking within the highway is not a right, the primary purpose of a road is for access. Residents should not assume that on-street parking will always be available, as this privileged parking could be removed at any time.
- 2.6 Evidence relating to obstructive parking on Denshaw Road can be seen in the photographs at Appendix D.
- 2.7 Whilst no personal details have been included in this report, a breakdown of the objections received is shown below: -

Eleven objections have been received, of these eleven objections, seven were from 5 different households on the opposite side of the road to where the waiting restrictions are proposed. One objection was from a resident on a different street within close proximity to Denshaw Road and three are from residents living outside the Delph area.

3 **Options/Alternatives**

- 3.1 Option 1: To approve the experimental order be made permanent.
- 3.2 Option 2: Not to approve a permanent order and allow the obstructive parking to resume.

4 **Preferred Option**

- 4.1 The preferred option is option 1.

5 **Comments of Saddleworth North Ward Councillors**

- 5.1 Ward Members have been consulted and Councillor P Byrne supports Option 1 and particularly supports Clause 2.5 and am always drawing attention to rights to park. Perhaps we as an Authority should draw Estate Agents attention to this.

5.2 Councillor G Harkness has commented, I am still not convinced the extent of these restrictions are necessary and that the benefits outweigh the challenges that they cause to many of the residents. Some restrictions around the resident who can't get into their driveway I could understand but I do not think the extent of this order is required. I recall that the driveways tend to have the white lines outside of them. Parking in Delph is challenging. I accept that on street parking is not a right, but this does disperse the problem for minimal gain. I note the speed survey but not the implication that speeds have reduced due to this order. As we know the removal of vehicles from the road usually results in increased speeds. You point out that the COVID restrictions influenced the number of vehicles which I support. It was during a lockdown this could be the same for some of the speeding culprits too as they may not have been travelling. The direct comparisons between the speed surveys are therefore not equivalent. We have had the activating sign in this area before due to previous speeding issues.

6 **Reponse to Councillors Comments**

6.1 The comments of Councillor Harkness are noted, the introduction of waiting restrictions outside one driveway is not appropriate due to the adverse effect it will have on the neighbour properties.

6.2 With regards to the introduction of the white lines (Access Protection Markings) these were not successful when introduced as motorists parked directly up to the markings, therefore, still creating an obstruction for residents entering and exiting their driveways.

6.3 The restrictions are also required to maintain access to and from Pingle Lane for HGV type vehicles as obstruction occurs when parking takes place opposite this junction.

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 proposal 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 Dealt with in previous report.

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 - Mod Gov Report
Appendix B - Objections
Appendix C - Speed and Volume Survey Results
Appendix D - Photographs

22 **Proposal**

22.1 Notwithstanding the objections received it is recommended that Option 1 be approved, and the experimental Order be made permanent as detailed in the schedule contained in the original report at Appendix A.

APPENDIX A
MOD GOV REPORT



Oldham
Council

Delegated Decision

Proposed Experimental Prohibition of Waiting – Denshaw Road, Delph, Oldham

Report of: Deputy Chief Executive – People and Place

Officer contact: Darryll Elwood, Technical Admin Officer
Ext. 1946

15 November 2018

Reason for Decision

The purpose of this report is to consider a number of requests for the introduction of prohibitive waiting restrictions on the north side of Denshaw Road to alleviate obstructive parking practices taking place.

Recommendation

It is recommended that no waiting at any time (double yellow line) restrictions be introduced on part of Denshaw Road, Delph on an experimental basis for a period of 18 months in accordance with the schedule at the end of this report. If no objections are received it is recommended that the Order be made permanent.

Delegated Decision

Proposed Experimental Prohibition of Waiting – Denshaw Road, Delph, Oldham

1 Background

- 1.1 A number of requests have been received for the introduction of waiting restrictions on the north side of Denshaw Road to alleviate obstructive parking practices.

2 Current Position

- 2.1 Denshaw Road is a local distributor route which connects the Delph and Denshaw villages. It is fronted mainly by residential properties on both sides of the road apart from Delph Primary School which is located on the south side near to Delph Village. As well as connecting two villages Denshaw Road also serves a large residential area and therefore experiences high traffic volumes as well as high pedestrian activity due to the location of Delph Primary School.
- 2.2 The residential properties located on the north side of Denshaw Road have private off street parking provision in the form of driveways/garages. However, the properties on the south side do not and therefore rely on parking within the highway. As on-street parking is limited outside the properties on the south side of the road, the residents also park on the north side. Vehicles parking on the north side can cause visibility problems for residents wanting to enter and exit their private driveways. The absence or narrow width of the footway in this location can also force pedestrians to walk in the carriageway when vehicles park in this location.
- 2.3 Observations have revealed residents could park their vehicles in the additional available space on the south side of Denshaw Road between the school and their properties. However, this option would mean residents would have to walk a short distance of up to 100 metres to and from their property.
- 2.4 In 2015 a report was submitted to Oldham Council proposing the introduction of double yellow lines on the north side of Denshaw Road as per the schedule at the end of this report. The restrictions on the north side were proposed to alleviate obstructive parking for both residents trying to enter and exit their driveways and also prevent motorists parking on the footways forcing pedestrians into the carriageway.
- 2.5 The proposal received Delegated Approval on 9 February 2016 and was subsequently advertised. However, due to the level of objections received from residents who rely on parking within the highway, it was recommended by the Traffic Order Panel that the proposal be rescinded. The Traffic Order Panel also recommended Access Protection Markings (APM) be offered to any resident living on the north side of the proposed scheme area in the hope of removing some of the obstructive parking.

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- 2.6 Unfortunately the introduction of the APM's does not appear to have helped as motorists are parking as close as possible to the end of the markings, therefore, visibility is still an issue for residents entering and exiting their driveways and pedestrians are still forced to walk in the carriageway.
- 2.7 Concerns have also been raised by other road users that double parking on this section of Denshaw Road is creating a bottleneck and preventing the free flow of traffic within close proximity to the brow of a hill and a bend, thus creating a highway safety issue for all road users.
- 2.8 In addition to the above a complaint has also been raised relating to vehicles parking on both sides of the carriageway on Denshaw Road within close proximity to Pingle Lane which has on occasion prevented vehicular movements for delivery vehicles through the junction.
- 2.9 Residents living on the south side of Denshaw Road who rely on parking on the highway not only objected to the previous proposal, on the grounds it would result in them having to find an alternative place to park, but also raised concerns that if parking was removed from one side of the carriageway speeds would increase along this section of Denshaw Road.
- 2.10 The introduction of waiting restrictions in this location will displace some on-street parking. The subsequent absence of parked cars will improve the free flow of traffic and may result in a small increase in traffic speeds. However, the road safety benefits of addressing the current situation that results in pedestrians being forced into the carriageway and restricted visibility for residents entering and exiting their driveways outweighs the safety implications of vehicles travelling at slightly higher speeds.
- 2.11 The measures introduced since the previous proposal have had limited effect and the current arrangement is not fully preventing obstructive parking from taking place. It is therefore proposed to introduce an Order which prohibits waiting for an experimental period of 18 months, to remove the obstructive parking from the north side of Denshaw Road. A speed survey will be undertaken before the restrictions are introduced and after their implementation to assess any increase in speed. Should excessive speeds be recorded consideration will be given to reviewing the Traffic Regulation Order.

3 Options/Alternatives

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

4 Preferred Option

- 4.1 The preferred option to approve is Option 1.

5 Justification

- 5.1 The introduction of a Traffic Regulation Order on Denshaw Road is necessary to ensure that access can be maintained for pedestrians using the footway and residents living on the north side have clearer visibility when entering and exiting their driveways.

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 supports this proposal as this road is a bus route the restrictions should assist accessibility of vehicles along this section.
- 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 the Saddleworth North Ward Councillors

- 7.1 The Ward Councillors have been consulted and Councillor P Byrne supports the proposal.
- 7.2 Councillor G Harkness has commented:- This went to panel before and was not introduced as there were concerns that there was a significant number of objectors last time I think it was 27 objectors and one in support. How many have we had this time and how many have requested such a restriction? Parking in Delph is challenging so I am reluctant to support such a scheme.

8 Response to Councillors Comment

- 8.1 Whilst the number of complaints received are by no means as many as the objections from residents wanting to park within the highway, the concerns raised include:-
1. Vehicular manoeuvres for larger vehicles are restricted turning out of Pingle Lane when vehicles are parked on both sides of Denshaw Road in this location. Also visibility to the left is restricted.
 2. A resident living in one of the properties on the north side of Denshaw Road is still experiencing difficulty when exiting her driveway due to vehicles still parking within close proximity to her entrance, also these vehicles are obstructing clear visibility and parking on the footway.
 3. A cyclist has raised concerns that due to parked vehicles, the free flow of traffic is restricted and an incident occurred were he had to take evasive action due to an oncoming vehicle.

4. A motorist has advised of several near misses due to vehicles not having clear visibility over the brow of the hill and around the bend and then again having to take evasive action due parked vehicles preventing the free flow of traffic.
- 8.2 Whilst it is appreciated there are only four complaints, each one on its own merit would justify proposing the introduction of waiting restrictions to remove obstructive parking and create a safer environment for all highway users.
- 8.3 The provision of on-street parking at this location is a request that we have tried to balance for many years. However, with increasing car ownership and limited road space in front of the terraced properties it is becoming more and more difficult to both satisfy residents and maintain appropriate highway standards.
- 8.4 As you know, the primary function of an adopted highway is for the safe and efficient passage of vehicles between two points. Any provisions made for parking must come secondary to this, in particular, if road safety, traffic capacity and manoeuvrability are significantly compromised.
- 8.5 We do however understand the sensitive nature of the matter and it is for this reason that we are progressing the TRO on an experimental basis.

9 Financial Implications

- 9.1 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	800
TOTAL	<u>2,000</u>
Annual Maintenance Costs (calculated July 2018)	35

- 9.2 The advertising and initial road marking cost of £2,000 will be funded from cost centre 40916 (Highways Operations – Unity).
- 9.3 The annual maintenance costs estimated at £35 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)

10 Legal Services Comments

- 10.1 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.
- 10.2 The Council may, for the purposes of carrying out an experimental scheme of traffic control, make an order under section 9 of the Road Traffic Regulation Act making any such provision as may be made by a traffic regulation order. Experimental orders should not be seen as a way of quickly making an order without going through the normal consultation procedures for permanent orders. To avoid the possibility of a successful challenge in the High Court, the Council must be able to demonstrate where the element of experiment or uncertainty lies, as an experimental order can only be made for the purpose of carrying out an experimental scheme of traffic control. An experimental traffic order shall not continue in force for longer than 18 months.
- 10.3 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)

11 Co-operative Agenda

- 11.1 In respect of the introduction of prohibitive waiting restrictions along Denshaw Road there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

12 Human Resources Comments

- 12.1 None.

13 Risk Assessments

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- 13.1 None.
 - 14 **IT Implications**
 - 14.1 None.
 - 15 **Property Implications**
 - 15.1 None.
 - 16 **Procurement Implications**
 - 16.1 None.
 - 17 **Environmental and Health & Safety Implications**
 - 17.1 Energy – Nil.
 - 17.2 Transport – Nil.
 - 17.3 Pollution – Nil.
 - 17.4 Consumption and Use of Resources – In accordance with current specifications.
 - 17.5 Built Environment – Nil.
 - 17.6 Natural Environment – Nil.
 - 17.7 Health and Safety – None.
 - 18 **Equality, community cohesion and crime implications**
 - 18.1 None.
 - 19 **Equality Impact Assessment Completed?**
 - 19.1 No.
 - 20 **Key Decision**
 - 20.1 No.
 - 21 **Key Decision Reference**
 - 21.1 Not applicable.

22 Background Papers

22.1 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.

23 Proposal

23.1 It is proposed that an experimental Prohibition of Waiting Order be introduced on Denshaw Road, Delph in accordance with drawing number 47/A4/1511/1 and the following schedule.

Item to be Included


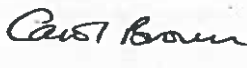
Drawing Number 47/A4/1511/1

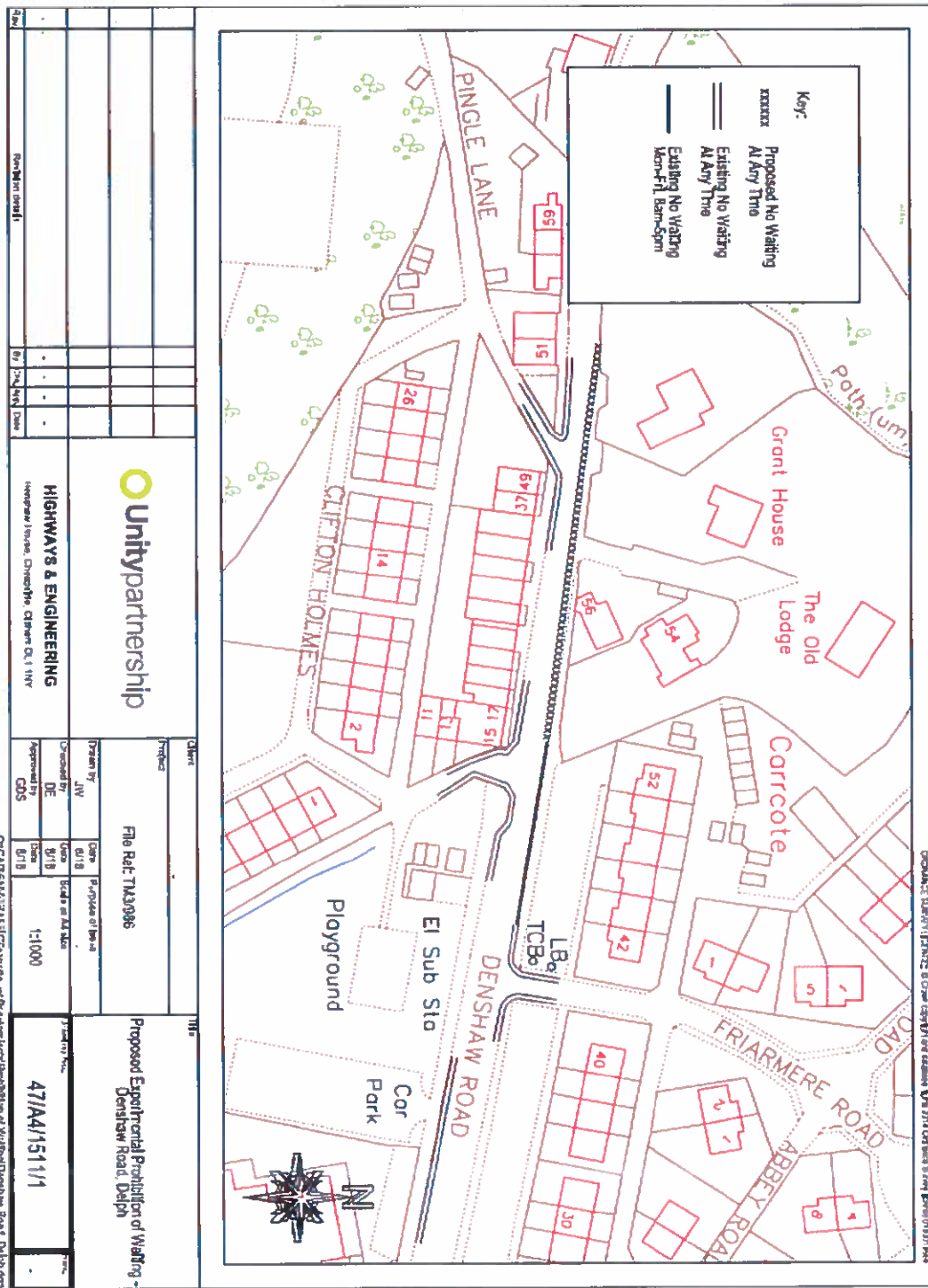
Oldham Borough Council (Saddleworth Area) Consolidation Order 2003
As amended by the Oldham Borough Council (Variation of the Oldham Area, Lees Area, Chadderton Area, Failsworth Area, Royton Area, Crompton Area and Saddleworth Area Consolidation Orders) Minor Order 2004

Insert in Part I Schedule 1 Prohibition of Waiting

Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Denshaw Road, Delph</u> (North Side) Extending from a point 50 metres west of its junction with Friarmere Road for a distance of 87 metres in a westerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	

APPROVAL

<p>Decision maker Signed  Cabinet Member, Neighbourhood Services</p>	<p>Dated 03/12/2018 _____</p>
<p>In consultation with Signed  _____ Director Of Environmental Services</p>	<p>Dated 27/11/18 _____</p>



DRAWING: 47/A4/151/111 - 03/08/18
 DRAWN: J.W. / 03/08/18
 CHECKED: D.E. / 03/08/18
 DATE: 03/08/18

<p>Unitypartnership</p> <p>HIGHWAYS & ENGINEERING <small>(Incorporating former DASH Engineering)</small></p>		<p>Client:</p> <p>Project:</p> <p>File Ref: TM3/986</p>		<p>Title:</p> <p>Proposed Experimental Prohibition of Waiting - Denshaw Road, Delph</p>	
<p>Drawn by:</p> <p>J.W.</p>	<p>Checked by:</p> <p>D.E.</p>	<p>Date:</p> <p>03/08/18</p>	<p>Scale:</p> <p>1:1000</p>	<p>Project No.:</p> <p>47/A4/151/111</p>	<p>Revision:</p>
<p>Approved by:</p> <p>CDS</p>		<p>Scale:</p> <p>1:1000</p>		<p>Revision:</p>	
<p>03/08/18</p>					

APPENDIX B
OBJECTIONS

Denshaw Road,
Delph,
Oldham,
OL3 5EY

12th January 2020

Dear Sir,

I write in reference to the experimental prohibition of waiting order 2019 along Denshaw Road in Oldham and wish to object to the order that has been implemented during the 6 month period of it coming into force.

There are several grounds on which I wish to object to the order as I reside opposite the newly implemented no waiting section of Denshaw Road.

My two main concerns are the increased speed of traffic along this section of road now that two cars can pass at the same time and the lack of parking for residents.

The parking of cars on both sides of the road previously acted as a natural chicane to slow traffic coming into Delph and the school safety zone. It is now clearly visible that the traffic passes by my house at increased speed than before the double yellow lines were painted opposite my home. My parent's car has been damaged by a car driving at speed and clipping the rear of their car. The speed of the cars concerns me because I have two teenage daughters that cross Denshaw Road to reach the bus stop at Friarmere. I feel that they are now vulnerable and it is only a matter of time before an accident occurs here due to speeding vehicles. As far as I am aware there have been no previous accidents due to speeding vehicles when the alleged obstructive parking was taking place.

There is now an issue with parking for local residents as the implementation of the lines has reduced the available parking by around 5 spaces. I am a nurse who works shifts and after a night shift I arrive home at around 9am when parents are dropping their children at school. As residents from Denshaw Road and the row of houses where I live are forced to park nearer to the school and often on the car park adjacent to school, there is less available parking for the school and I have to wait to be able to park my car anywhere near my home. This has also forced parents to park within the school safety zone and it is clear that during school traffic times there is more obstructive parking than there was previously by the parents. Parents regularly now park on the single yellow lines along Denshaw Road opposite the park and also on the double yellow lines adjacent to the park.

I also finish shifts at 2130 and by the time I arrive at home I have to park on the car park which is not ideal when carrying heavy bags. I also do not feel safe walking from the bottom of the car park at 10pm at night as there have recently been issues with vandalism of

vehicles on the car park and antisocial behaviour. My car has been vandalised while parked there overnight. If I need to leave for work or any other reason while parked on the car park around school drop off or pick up times my car is often blocked in by parent's cars. I am aware that parking near to my house is not a right but these issues have only occurred since the double yellow lines have been implemented and have just moved any issues further along the road into the school safety zone.

I feel that while the reduction in parking to the new restrictions is an inconvenience, the resulting increase in the speed of the traffic along Denshaw Road is very concerning and it is only a matter of time before a serious incident or accident occurs to either one of the local residents or one of the school children. I invite you to come and measure the speed of traffic now that the cars do not have to slow down to pass each other to validate my concerns.

I look forward to hearing your reply,

Yours sincerely,

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

Denshaw Road
Delph
Saddleworth
OL3 5EY

11 January 2020

Dear Sirs

Re: Experimental Traffic Regulation Order - Denshaw Road – Ref: DE/GDS/TM3/986

I strongly oppose the Experimental Traffic Regulation Order which was implemented in July 2018.

Since the introduction of double yellow lines on the north side of the carriageway I have noticed an increase in speed of vehicles along Denshaw Road.

Previously, vehicles would park on both sides of the carriageway which calmed the traffic down but this is no longer the case and there have been numerous incidents of vehicles being damaged whilst parked on the south side of the road.

There are 12 houses that use the area between Clifton Holm and Pingle Lane to park their cars. The majority of residents have 2 cars and so parking is extremely limited. Residents are now being forced to park in the school safety zone which seems to go against the whole idea of creating such a zone.

During school drop off / pick up, vehicles are now all congested around the school safety zone which is far from ideal and then as soon as drivers leave this area, they tend to speed up as they pass my house and approach the bend.

Parking in the nearby car park adjacent to the school is not really feasible as there is no lighting in the area and as a lone female, I do not feel safe leaving my car there and walking back to my house. Furthermore, I am aware of a number of vehicles being damaged whilst parked in the car park overnight. It is also impossible to get your car out of the car park during busy school periods due to cars being double parked and blocked in.

I have lived at my address for over 40 years and in all that time I have not known of any accidents which have been caused due to parking on both sides of the carriageway.

Yours faithfully,

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

Denshaw Road
Delph
Saddleworth
OL3 5EY

10 January 2020

Dear Sirs

RE: EXPERIMENTAL TRAFFIC REGULATION ORDER – DENSHAW ROAD, DELPH

I write further to your letter dated 12th July 2019 (Ref: DE/GDS/TM3/986) and would like to state my objection to the above proposals.

I note that in accordance with the Legal Notice dated 15th July 2019 (which was attached to your letter dated 12th July 2019?), an Order was made which prohibits waiting at all times on the north side of Denshaw Road, Delph, from a point of 50 metres west of its junction with Friarmere Road for a distance of 87 metres in a westerly direction. This Order came into force on 24th July 2019 and therefore gave us just 9 days notice despite the fact that this 'delegated decision' was recommended by the Council on 15th November 2018. I fail to see why it then took the Council 8 months to notify residents who would be directly affected by this Order.

According to your letter dated 12th July 2019, the Order was made purely *'to try and alleviate the obstructive parking currently taking place'*. With respect, this exact issue was raised back in 2016 and at that time, it was decided that yellow lines **should not be introduced** and instead the introduction of APM's across two driveways on the north side were introduced. This issue had therefore already been dealt with.

The APM's clearly provide residents on the north side of the road easier access and exit from their properties. I therefore fail to understand the comments at paragraph 2.6 of the 2018 report which states that they do not appear to have helped as motorists are parking as close as possible to the end of the markings. With respect, motorists are entitled to park up to the end of the APM.

Paragraph 2.6 also states that there is still an issue for pedestrians who are forced to walk in the carriageway. I have to say that I fail to understand this argument. The pavement along this stretch of road is extremely narrow and only serves to provide access to two properties on the north side of Denshaw Road.



Currently this stretch of pavement is often blocked in any event by the refuse bins from properties on the north side of the road that continually stay on the pavement for days at a time.

Paragraph 2.7 states that concerns have been raised by other road users that double parking on this section of Denshaw Road is creating a bottleneck and preventing the free flow of traffic within close proximity to the brow of a hill and bend, thus creating a highway safety issue for all road users. I would strongly disagree. Double parking on this section actually created a natural traffic calming measure in that traffic was forced to slow down as they head towards Delph Primary School or head up to the brow of the hill towards Denshaw.

Since the yellow lines have been introduced, there has been a clear increase in speed along this section of the highway which is proving hazardous for a number of safety reasons. Firstly, there is the issue of the safety of parents with young children getting out of cars in the school safety zone; secondly for those older children who get off school buses within the school safety zone and have to cross Denshaw Road at a time when there is no school crossing in operation; thirdly for those residents who are entitled to stop briefly on the north side of the road to load and unload their vehicles, it means that they are put in a hazardous situation as they try to exit their vehicle due to the speed of traffic coming down from the brow of the hill.

Since the lines have been in place, I am personally aware of 3 separate incidents of wing mirrors being smashed as motorists are refusing to slow down as cars approach from around the bend. The wing mirrors being found some distance up the road which suggests that this was not a simple 'knock' into the mirror, but an impact at some speed.

At paragraph 8.2 of the 2018 report, you have stated that there have only been 4 complaints since the last time this proposal was discussed back in 2016 compared to the previous 27 objections against.

I understand that the objections were from two properties on the north side of the road who both have driveways for several cars and who now have APM's across their driveways. The other two objections were from a cyclist and one delivery driver who was attempting to access Pingle Lane. Whilst I appreciate that turning into Pingle Lane can be tight for large vehicles, one complaint in over 3 years hardly seems excessive.

Paragraph 2.3 refers specifically to parking for residents.

As you will be aware from your own consultations, there are 12 terraced properties on the south side of Denshaw Road. These are large 3 and 4 storey terraced houses designed with families in mind and between us there are approximately 25 vehicles. There are of course, already prohibited waiting at either end of the row on the south side which means that there are currently spaces for around 8 vehicles. Given the number of vehicles owned by residents on this row and the lack of any off street parking then you will appreciate that parking spaces are extremely limited and following the introduction of the single yellow line on the north side of the carriageway when the school safety zone was implemented, many of us have had no alternative but to use the north side of the carriageway where the current new waiting restrictions have been applied.

You have stated that your observations have revealed that residents could park their vehicles in the additional space on the south side of Denshaw Road between the school and our properties, some 100 metres away. With respect, many of us already park our vehicles along this stretch of road and therefore we are now being forced to park further down the road directly into the school safety zone and into the community car park. This is having a significant impact during school drop off and pick up times.

Furthermore, it also means that any residents who have parked in the car park are unable to exit the same during these peak times as they are blocked in by parents dropping off and collecting their children which is a huge inconvenience.

There has also been damage to 4 vehicles in the car park since the waiting restrictions have been put in place and given the lack of lighting in the area there is clearly a security risk here. I have also witnessed a number of people hanging around the car park at night and as a lone female I do not feel safe parking up there and walking back to my house. I also understand that the school have some concerns regarding anti social behavior in the car park and again I do not feel safe in parking there at night.

I am also aware of two vehicles which have been damaged whilst parked on the additional space on the south side of Denshaw Road between the school and our properties which you have referred to as being suitable parking for residents. This was due to traffic congestion at peak times. One such vehicle was a family member of mine who had come to visit.

I am also a blue badge holder and the parking restrictions are of particular concern for me.

It would seem to me that the latest order is simply addressing the concerns of one or two residents on the north side of the road who now have the benefit of APM's and not the greater community. The effect is to push all the traffic into the school safety zone whilst allowing vehicles to speed up. This seems totally absurd and is clearly a major accident waiting to happen.

I am more than willing, as are my fellow neighbours, to meet with the Council to look at ways to resolve any issues but the current proposals are clearly not working.

I look forward to hearing from you in due course.

Yours faithfully.

Denshaw Road
Delph
Saddleworth
OL3 5EY
Date : 10/01/2020

Environment Group Solicitor to the Council

Civic Centre

West Street

Oldham

OL1 1UL

RE: Denshaw Road Delph Experimental Prohibition of Waiting Order 2019

Dear Sirs

I am writing to you today with formal objection to the above temporary TRO.

Since the implementation of the prohibition of waiting was introduced, I perceive there is now heightened risk to life and property both inside and outside of the school safety zone for the following reasons.

There has been a substantial speed increase along this stretch of road which causes vehicles to these pass the parked cars at a very close distance and have narrowly missed my car and almost caused injury to myself and my children as we enter and exit the car.

Parking has been displaced into the school safety zone as the delegated report suggested as alternative parking which causes narrowing within the safety zone forcing buses exiting Friarmere Road to mount the pavement in order to make the narrow turn. One vehicle that I am aware of has been damaged due to this.

The parking displacement also restricts the view when crossing at the westerly crossing point.

The delegated report also suggested parking in the car park at the school, however this is not acceptable when loading and unloading items from the house. There has also been a number of incidents of damage to since the implementation causing police involvement.

There are regularly intimidating groups of people hanging around in the carpark in the dark at night with a number of incidents of anti-social behaviour and I am aware this has concerned the school staff who use the carpark.

The double yellow lines were proposed in 2016 and rejected at that time and extra protection was implemented in the form of APM's for driveways to the north of Denshaw Road.

On this point I must refer to the report sent by Unity Partnership showing obstructive parking on the pavement and note that the car on most of the pictures belongs to a resident of 56 Denshaw Road on the North side of the road with a private drive which can hold 2 cars and is protected by an APM.

Since then you suggest these are not sufficient as people are parking is as close to the APMs as possible. This is due to the continued reduction of parking with implemented TROs since 2010 but also this cannot be used as a valid legal/planning argument as that would be the rule of law as long as the APMs are not encroached.

I have also spoken to a number of Oldham councillors, some of who are frankly astonished as to how this has happened and how little consultation has been done and that this should not have bypassed the Traffic panel

We are happy to work with the council to achieve a suitable solution and I would suggest you consult with the local Saddleworth Councillors who may have changed their views now they have more information on the situation before continuing with the draconian measures to protect the driveways of a few homes.

There appears to be a large bias toward the north of Denshaw Road for some reason, this matter should be referred to the traffic panel for further consideration rather than bypassing due process and implementing this under delegated report and an Experimental "Temporary" notice which requires no oversight and allows for a lack of transparency with the possibility of collusion.

To reiterate, for these reasons I object the above experimental TRO.

Yours Faithfully

Dershaw Road
Delph
Oldham
OL3 5ET
11/1/20

Dear Mrs Elwood

I am writing regarding the Experimental Prohibition of Waiting imposed on the north side of Dershaw Road, Delph, west of Friarere Road.

I am opposed to the Prohibition of Waiting remaining in place due to the following reasons. Since the implementation of the yellow lines:

- the speed at which some vehicles pass this area has increased substantially & occasional vehicles pass at extreme speeds for a residential area
- damage has occurred to several vehicles including my own due to vehicles trying to pass.
- further stress has been placed on the parking situation during school pick up & drop off which creates dangers around the school zone.

In addition one of the reasons was to help alleviate obstructive parking, this has already been dealt with by placing APM's across two driveways.

Regards

Denshaw Road,
Delph,
Oldham OL3 5EY.

11 January 2020

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

Dear Sir/Madam,

I am writing to formally object to the Experimental traffic regulation order - Denshaw Road, Delph, on the following grounds:

Residents, myself included, received a letter from you dated 12th July 2019 (Ref: DE/GDS/TM3/986) with an attached legal notice (Dated 15th July 2019?) stating that as from 24th July 2019 an order would be in force whereby there would be an "Experimental" traffic regulation order which prohibited parking on the north side of Denshaw Road from a point of 50m west of the junction with Friarmere Road for a distance of 87m in a westerly direction. This gave only 9 DAYS NOTICE. I notice that the decision was recommended by the council on 15th November 2018 – SOME EIGHT MONTHS EARIER – Why it took so long to notify the residents, who would be directly affected by this action, is beyond me.

The letter states that the order was made to "try and alleviate the obstructive parking currently taking place".

I was under the impression that this issue had been dealt with in 2016 when the same issue was raised and it was decided by the council that double yellow lines SHOULD NOT be introduced and instead the introduction of APM's across the driveways of properties on the north side of the road were introduced to provide those residents with easier access and exit from their properties.

I note that one of the FOUR complaints states that cars were parked close to the end of the APM's (Not over the markings). I fail to see what is wrong in this situation.

Vehicles being parked on each side of the road acted as a traffic calming measure as they act as a 'chicane' slowing traffic down on Denshaw Road heading towards the School.
(The increase in speed of some vehicles since the double yellow lines has been dramatic).

Adding the parking restrictions will almost certainly have implications for parents and children crossing the road and getting in and out of their cars due to speeding traffic. Given that there are 12 houses in the row, with roughly 25 cars between them and space enough for around 7-8 cars to park on the south side of the road, I'm not sure where the current residents are expected to park other than further up Denshaw Road, closer to the bend causing a dangerous obstruction or at the community car park adjacent to the school, which, not only limits parking for parents dropping off and picking up their children at an already very busy time of the day but is also a huge inconvenience to the local residents without driveways in which to park their cars, due to the distance from their homes let alone the lack of security to their vehicles. There has been vandalism to cars on a number of occasions whilst parked overnight on the community car park.

I have been resident on Denshaw Road for 27 years both at No. [redacted] and latterly at No. [redacted] and during this time to the best of my knowledge, there had been NO road traffic accidents apart from an occasional door mirror being lost to "over enthusiastic" drivers.

Since the regulations have been in place there has been at least three separate incidents of vehicles being damaged due to passing motorists refusing to give way to each other, often at speed.

Imposing these restrictions has served to speed up traffic flow through the community and create huge problems for residents of Denshaw Road.

Whilst I appreciate that there may occasionally be some minor inconvenience for a very small number residents I feel that the benefits of implementing the restrictions is far outweighed by the dangers.

I look forward to hearing from you in due course.

Yours Sincerely

Denshaw Road,
Delph,
Oldham OL3 5EY.

11 January 2020

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

Dear Sir/Madam,

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Residents, myself included, received a letter from you dated 12th July 2019 (Ref: DE/GDS/TM3/986) with an attached legal notice (Dated 15th July 2019?) stating that as from 24th July 2019 an order would be in force whereby there would be an "Experimental" traffic regulation order which prohibited parking on the north side of Denshaw Road from a point of 50m west of the junction with Friarmere Road for a distance of 87m in a westerly direction. This gave only 9 DAYS NOTICE. I notice that the decision was recommended by the council on 15th November 2018 – SOME EIGHT MONTHS EARIER – Why it took so long to notify the residents, who would be directly affected by this action, is beyond me.

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Imposing these restrictions has served to speed up traffic flow through the community and create huge problems for residents of Denshaw Road.

Whilst I appreciate that there may occasionally be some minor inconvenience for a very small number residents I feel that the benefits of implementing the restrictions is far outweighed by the dangers.

I look forward to hearing from you in due course.

Yours Sincerely

Delph Road
Denshaw
Saddleworth
OL3 5RY

Telephone: _____

22nd January 2020

Director of Legal Services
Oldham Council
Civic Centre
West Street
Oldham
OL1 1UL

Dear Sir/Madam,

**PROPOSED EXPERIMENTAL TRAFFIC REGULATION ORDER –
DENSHAW ROAD, DELPH**

I feel that I must complain about the above.

In my opinion there has been a huge increase in the speed of traffic now that vehicles are only parked along the south side of the road. When vehicles parked on both sides drivers had to slow down either as they came around the bend from Denshaw, or as they passed the school going up towards Denshaw. This is now dangerous when people are trying to cross and often cars do not stop for the school crossing patrol officer, as they have not slowed down enough in time.

The yellow lines also mean that parents travelling from Denshaw or Moorside cannot park on the area with the yellow lines for drop off. There is very limited parking near the school and it is causing more parents to park in the estate opposite the school, which again is dangerous, as many children are crossing the roads in this residential area.

I sincerely hope that these lines will be removed immediately for safety reasons.

Yours faithfully,

Environment Group Solicitor.
OMBC
Civic Centre
West Street
Oldham
OL1 1UL

Clifton Holm
Delph
Saddleworth
OL3 5EZ

11th January 2020

Dear Sir,

**Re: Experimental Traffic Regulation Order - Denhsaw Rd Delph
(DE/GDS/TM3/986)**

I would like to object to the above mentioned Experimental Traffic Regulation Order.

I am a resident on Clifton Holm near to the site of the introduction of the double yellow lines on the north side of Denshaw Road. Previously, vehicles would park on both sides of the road along this part of the carriageway and this served as a natural traffic calming measure which slowed vehicles down in both directions. This provided residents a safer exit from Clifton Holm onto Denshaw Road.

It also provided a safer crossing point at the 'gateway' to the school zone.

As a result of the introduction of these yellow lines, I have noticed a marked increase in the speed of traffic along Denshaw Road and vehicles are now parked further down Denshaw Road directly into the school safety zone which causes increased difficulty when exiting Clifton Holm.

I would therefore object to these parking restrictions becoming a permanent feature.

Yours faithfully

Long Lane
Chadderton
Oldham
OL3 5EY
Date : 25/09/2019

RE: Denshaw Road, Delph. Experimental Prohibition of Waiting Order 2019

Dear Sirs

I am writing in objection to the experimental order which has been implemented.

I regularly visit this area on Denshaw Road and usually park on the south side of the road opposite these lines.

Since the double yellow lines have been painted, I have seen a dramatic speed increase along this stretch of road and this has caused safety issues when entering and exiting my car.

Now 2 vehicles pass side by side along the road at high speeds and when there are larger vehicles these pass the parked cars at a very close distance and have narrowly missed my car and me as I try to enter my car.

These extra safety concerns are why I am objecting to this. Previously the speed along this stretch was much slower as sometimes only a single car could pass, therefore cars would not speed as close to the parked cars as they do now and the risk to pedestrians was much lower.

Yours Faithfully

Long Lane
Chadderton
Oldham
OL3 5EY
Date : 25/09/2019

RE: Denshaw Road, Delph. Experimental Prohibition of Waiting Order 2019

Dear Sirs

I am writing in objection to the experimental order which has been implemented.

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These extra safety concerns are why I am objecting to this. Previously the speed along this stretch was much slower as sometimes only a single car could pass, therefore cars would not speed as close to the parked cars as they do now and the risk to pedestrians was much lower.

Yours Faithfully

APPENDIX C
SPEED AND VOLUME SURVEY RESULTS

Speed and Volume Surveys Denshaw Road, Delph

The tables below detail the average peak hour traffic flow, the mean speed of traffic and the average 85th percentile speed of traffic. The 85th percentile speed is the speed at which 85 percent of motorists travel at or below and gives an indication of higher traffic speeds; it has also previously been used in determining speed limits.

Location – Denshaw Road, Delph – 2019

Location – Denshaw Road, Delph L/C No.12		Date 25/06/19 to 03/07/19	
	East	West	Total
	Vehicles	Vehicles	Total Vehicles
Morning Peak (Start Hour 8am)	Workdays = 268 7 Days = 213	Workdays = 211 7 Days = 172	
	Vehicles	Vehicles	Total Vehicles
Evening Peak (Start Hour 5pm)	Workdays = 193 7 Days = 180	Workdays = 338 7 Days = 288	
	MPH	MPH	
Mean Speed of Traffic	Workdays = 32.3 7 Days = 32.2	Workdays = 31.7 7 Days = 31.7	
	MPH	MPH	
85th Percentile Speed	Workdays = 36.8 7 Days = 36.8	Workdays = 35.4 7 Days = 35.5	

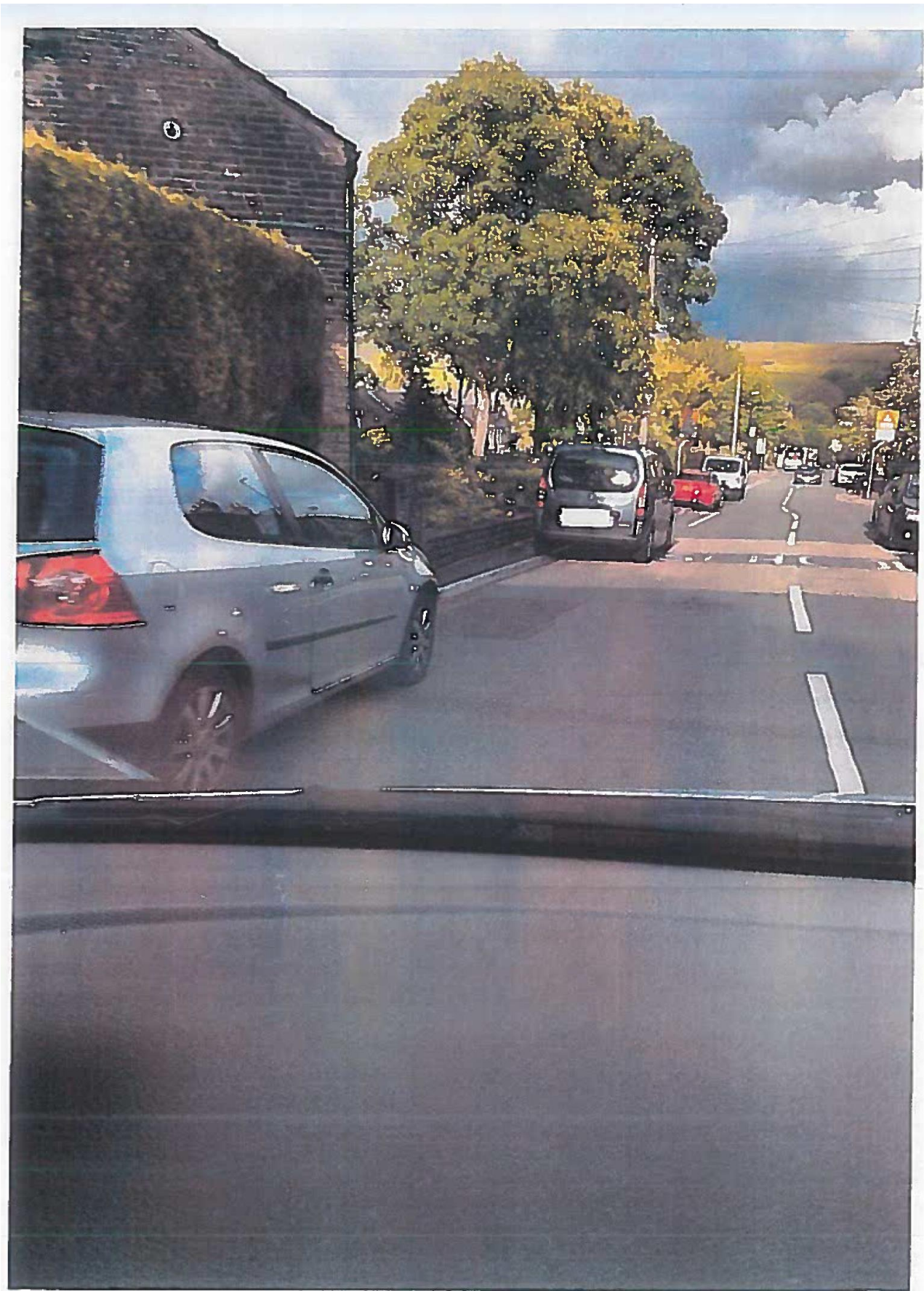
Average Speed – All Directions (7 Days) = 32.2mph

Location – Denshaw Road, Delph – 2020

Location – Denshaw Road, Delph L/C No.12		Date 24/07/20 to 31/07/20	
	East	West	Total
	Vehicles	Vehicles	Total Vehicles
Morning Peak (Start Hour 8am)	Workdays = 117 7 Days = 98	Workdays = 156 7 Days = 128	
	Vehicles	Vehicles	Total Vehicles
Evening Peak (Start Hour 5pm)	Workdays = 226 7 Days = 198	Workdays = 149 7 Days = 141	
	MPH	MPH	
Mean Speed of Traffic	Workdays = 29.5 7 Days = 29.4	Workdays = 28.6 7 Days = 28.6	
	MPH	MPH	
85th Percentile Speed	Workdays = 34.2 7 Days = 34.2	Workdays = 33.6 7 Days = 33.8	

Average Speed – All Directions (7 Days) = 29.3mph

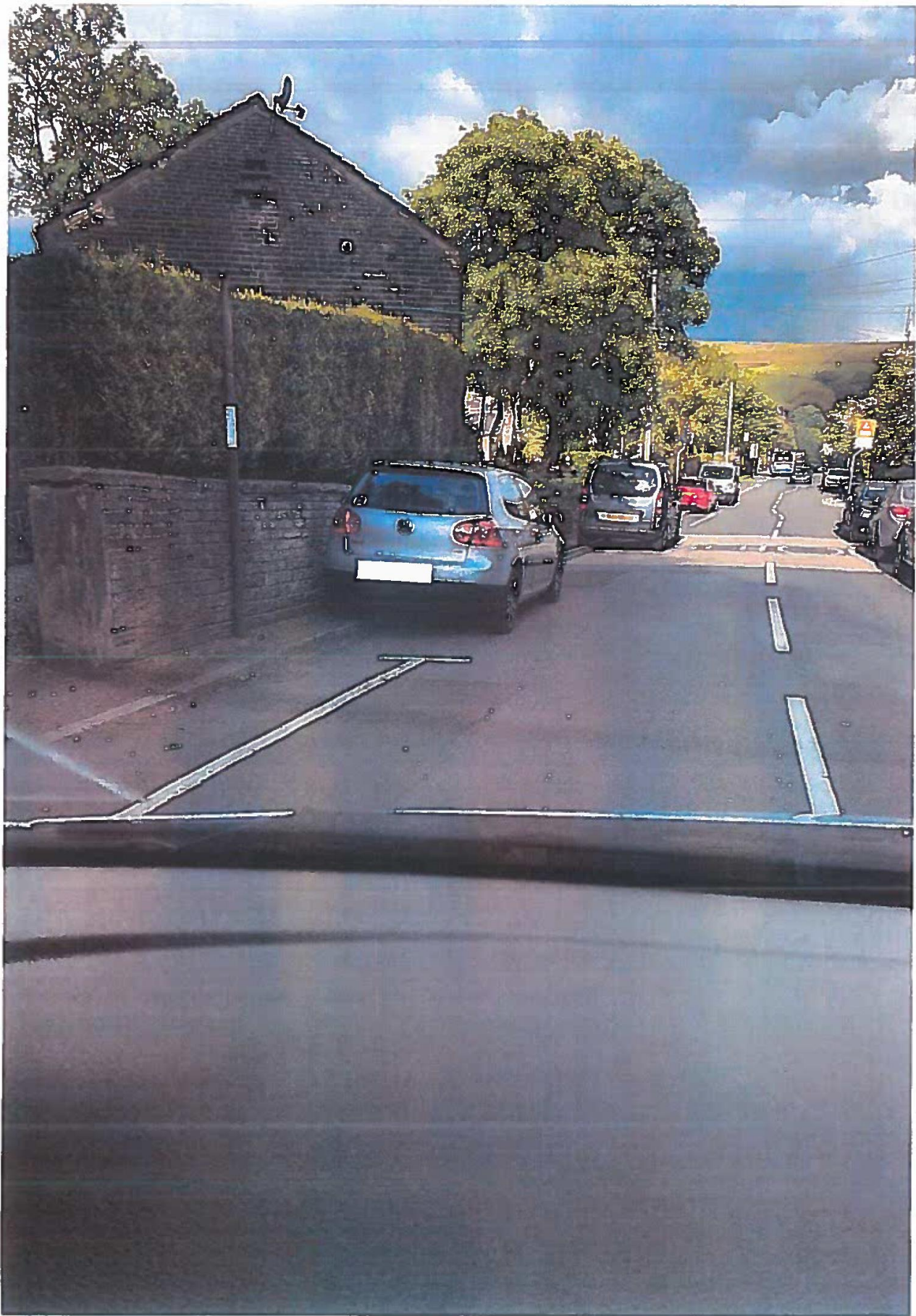
APPENDIX D
PHOTOGRAPHS



TM3/986

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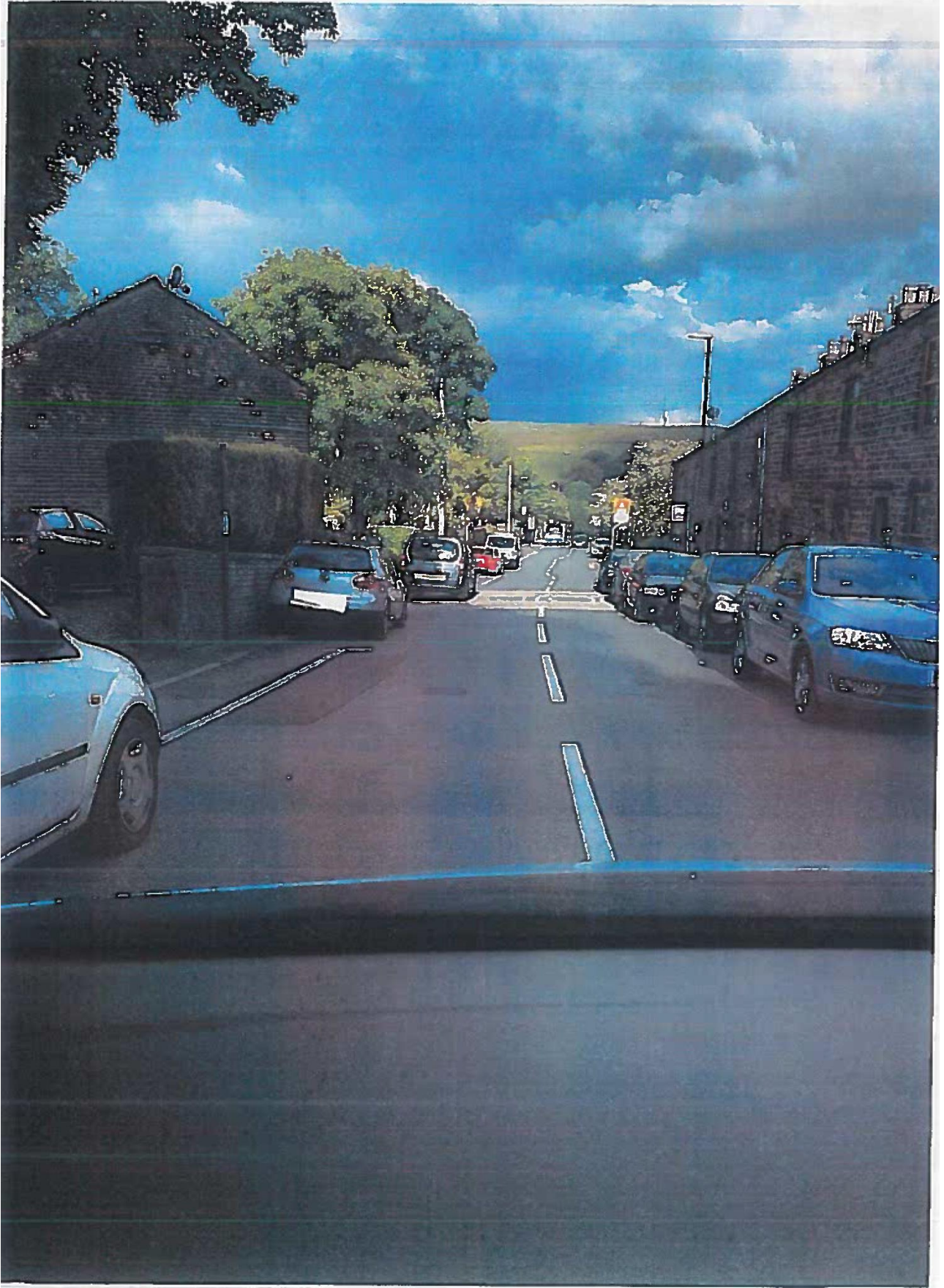
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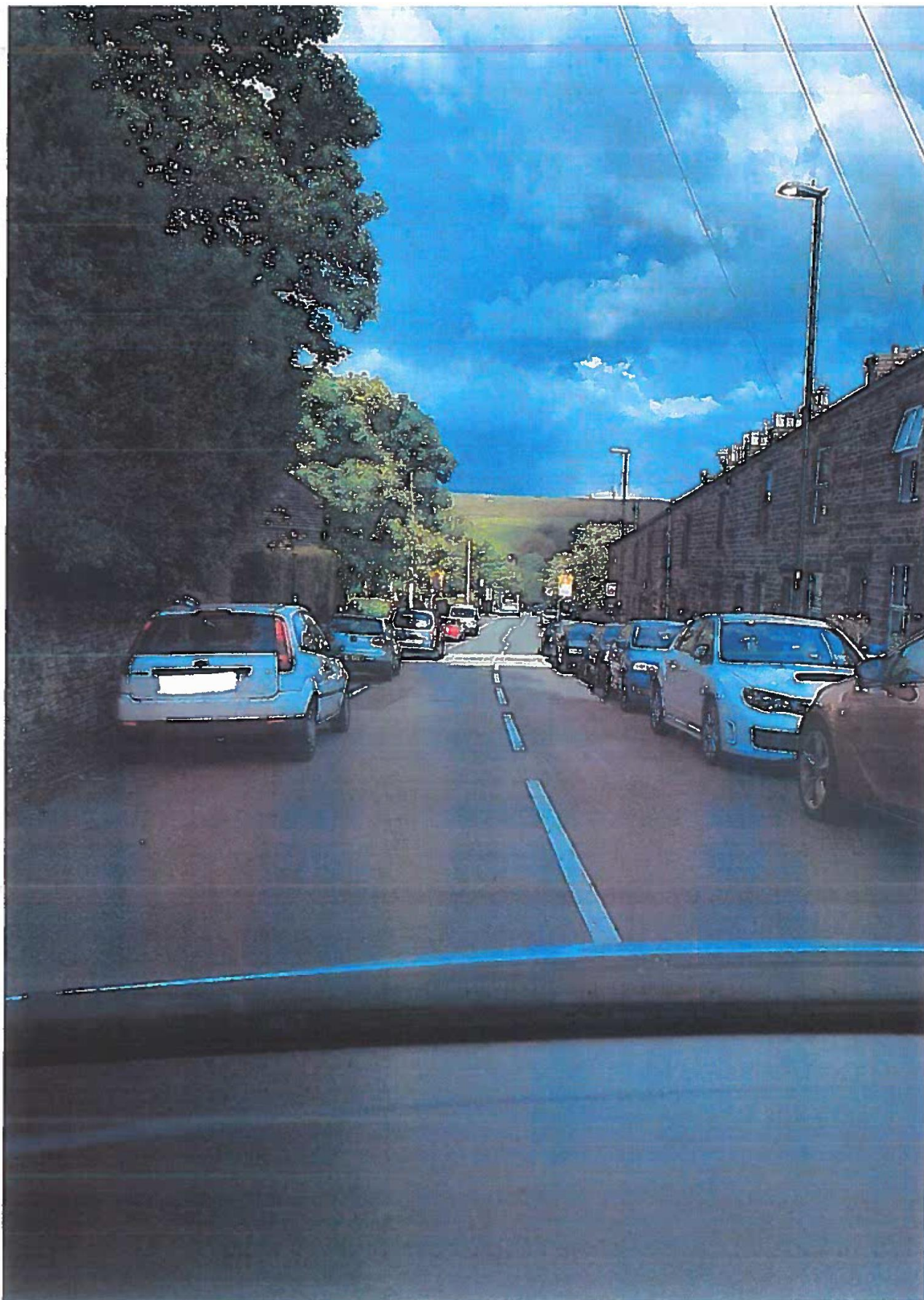
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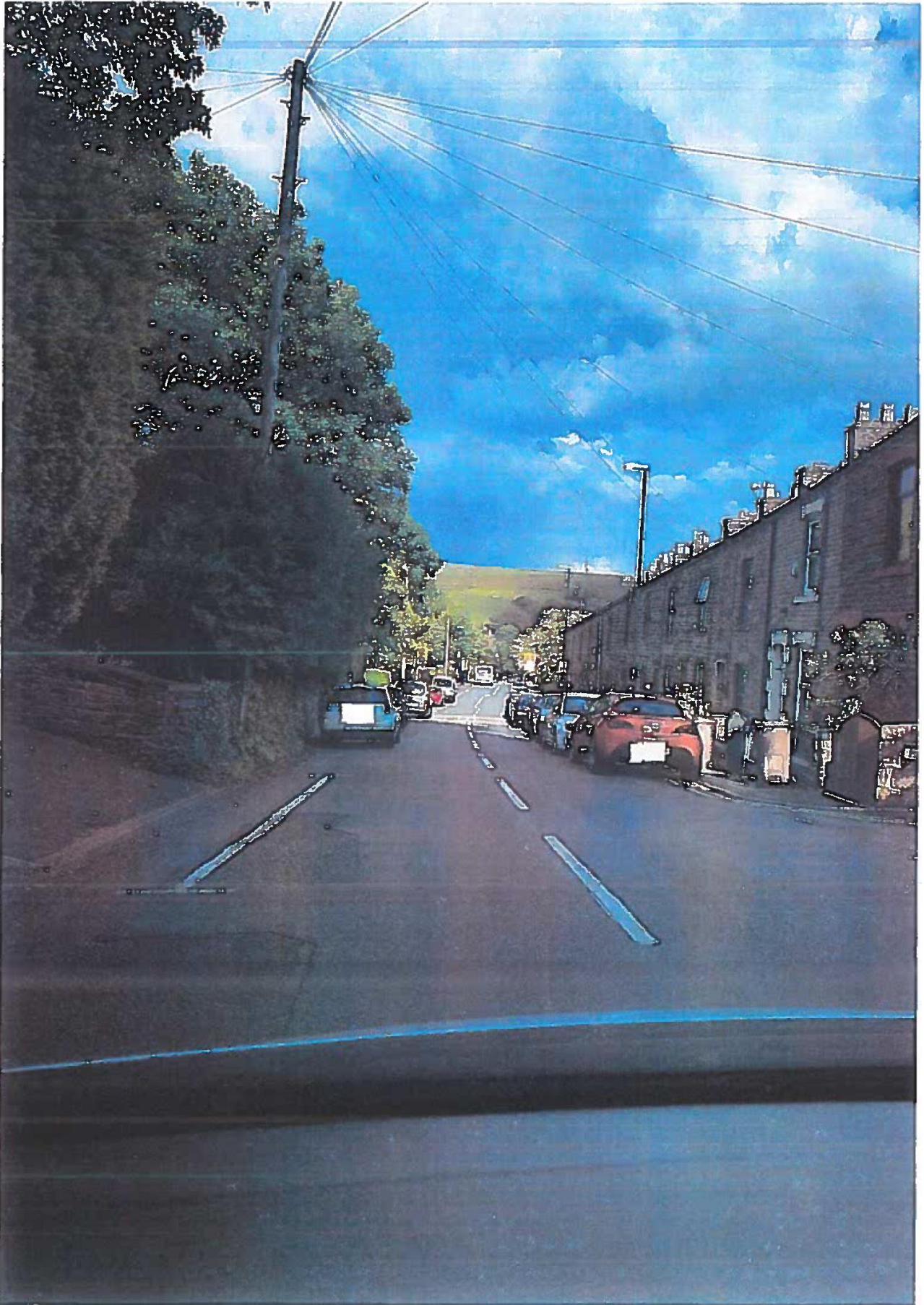
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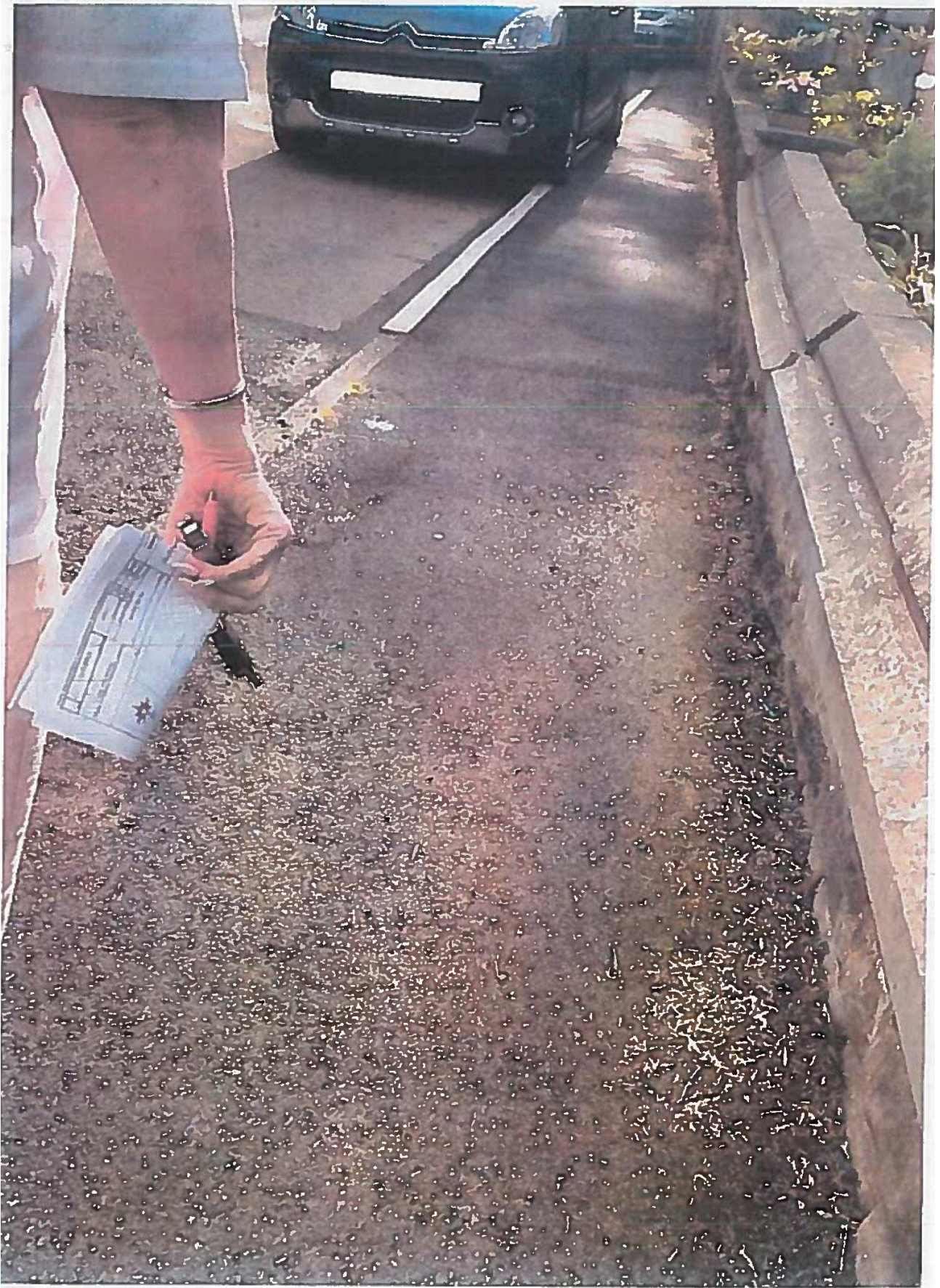


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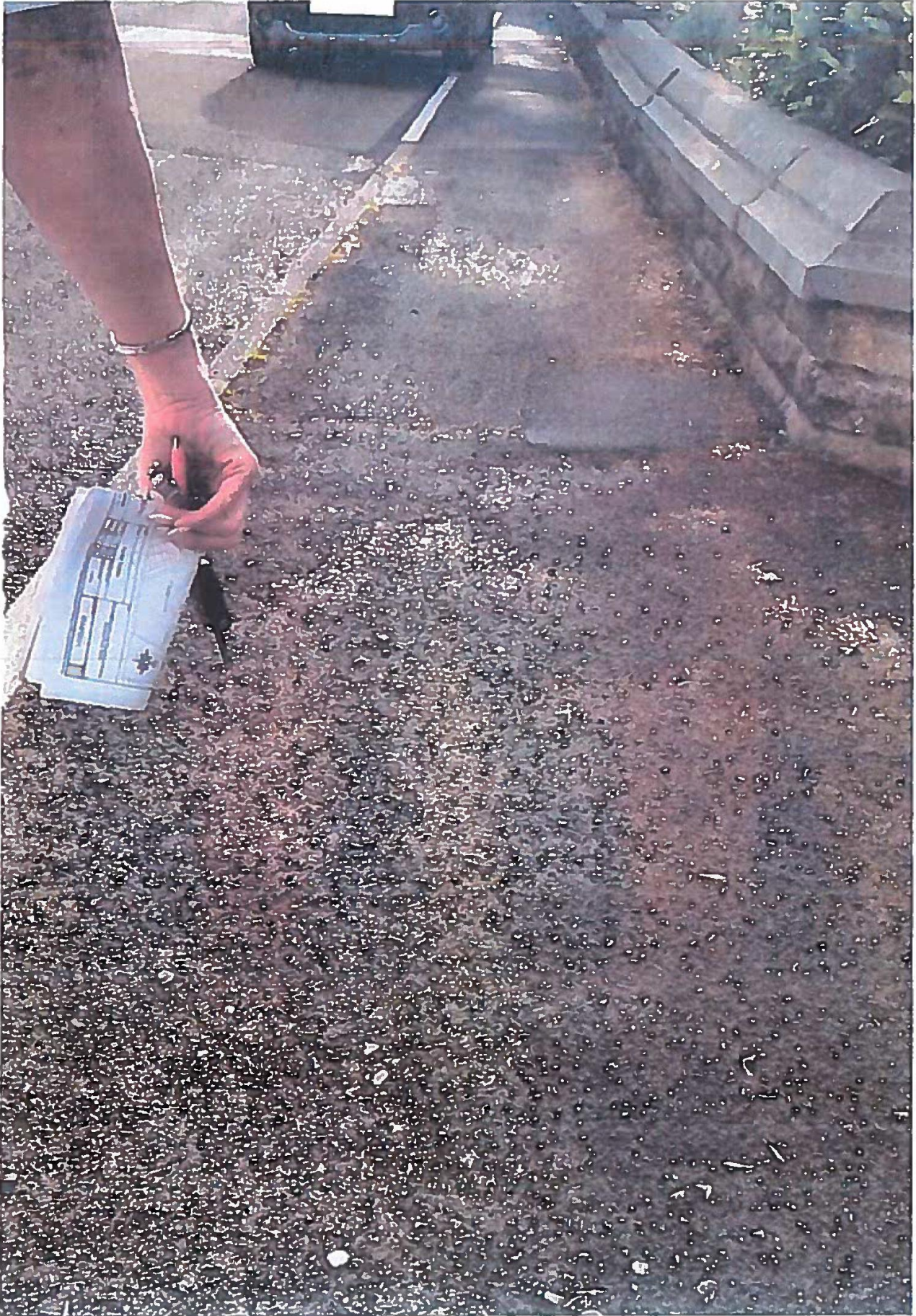




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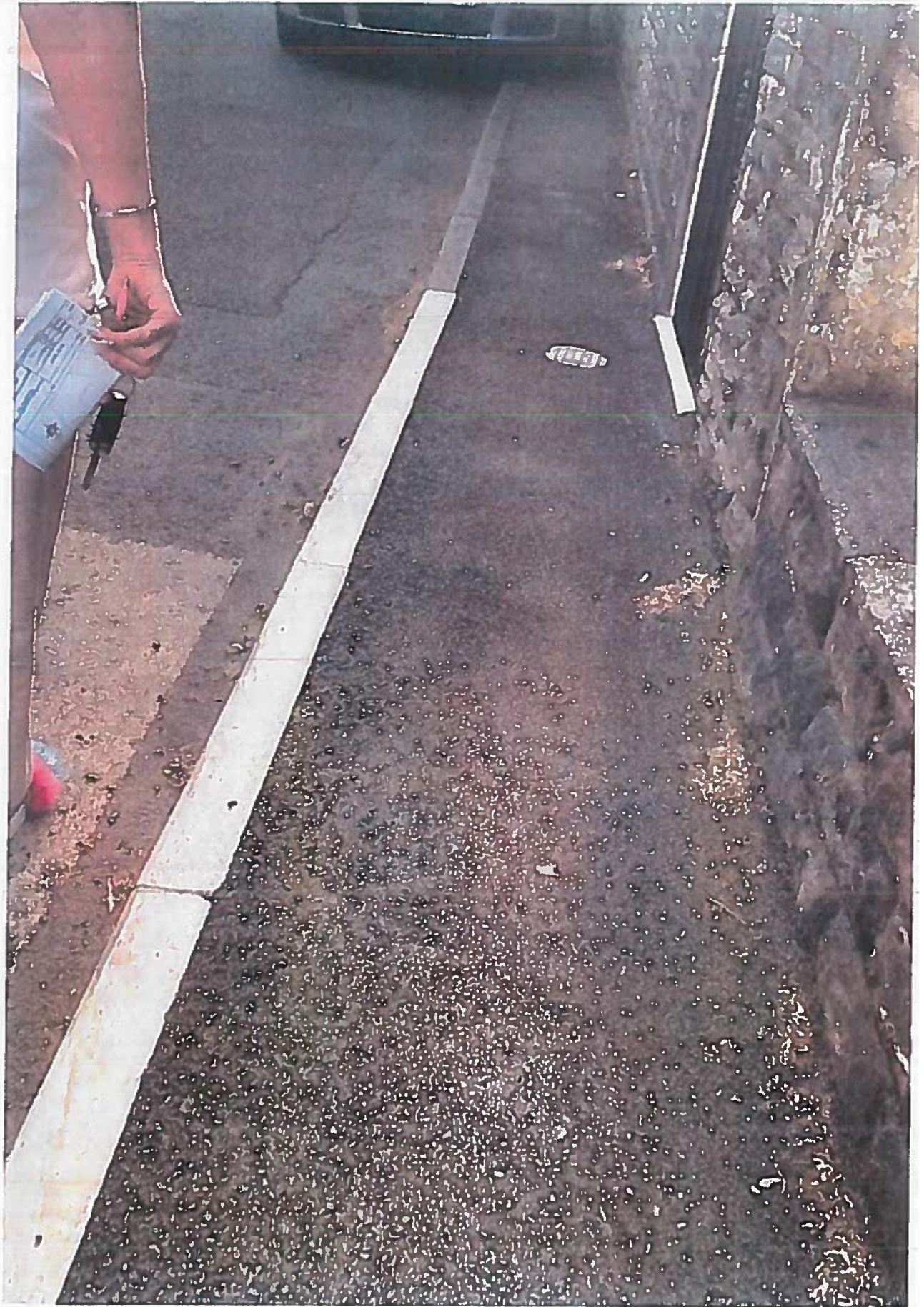
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