



Oldham
Council

Delegated Decision

Proposed Experimental Prohibition of Waiting Order - B6175 Burnley Lane, Chadderton

Report of: Deputy Chief Executive – People and Place

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19 November 2021

Purpose of Report

The purpose of this report is to consider the implementation of an Experimental Prohibition of Waiting Order to supplement existing traffic calming measures in place on Burnley Lane, Chadderton which are being abused due to inconsiderate parking.

Recommendation

It is recommended that the Experimental Prohibition of Waiting Order associated with the scheme are approved, in accordance with the schedule at the end of this report.

Proposed Experimental Prohibition of Waiting Order - B6175 Burnley Lane, Chadderton

1 Background

General Conditions

- 1.1 The purpose of this report is to seek approval to introduce an Experimental Prohibition of Waiting Order to enhance improvements recently carried out in the vicinity.
- 1.2 Burnley Lane, Chadderton (between the junction with Mill Brow and just to the east of the junction with Parkway) was recently provided with a traffic calming scheme consisting of a series of five traffic islands positioned centrally on the carriageway together with a system of central hatching markings. This scheme was designed to reduce the speed of vehicles using Burnley Lane, as this is a residential area with a school.

2 Traffic Issues

- 2.1 Subsequent to the introduction of the traffic calming scheme it has been found that the return of pupils to school following the easing of Covid-19 lockdown measures has resulted in significant on-street parking occurring along both Burnley Lane and Birch Avenue: this includes those areas adjacent to the central traffic islands and around the junction of Burnley Lane with Birch Avenue.
- 2.2 Such parking impedes the progress of all vehicles including Public Service Vehicles, such that these are forced to wait for protracted periods resulting in congestion, or to negotiate the traffic islands on the wrong side with the concomitant risk factor that this entails.

3 Road Safety

- 3.1 No personal injury accidents have been recorded in the study area during the last 3 years.

4 Justification / Proposals

- 4.1 The recent return to school of pupils following the easing of Covid-19 lockdown measures has resulted in significant increases in traffic and in particular on-street parking along Burnley Lane and in Birch Avenue. This is in turn resulting in traffic flow being impeded, causing congestion and compromising road safety.

4.2 **Proposals**

4.2.1 **Experimental Prohibition of Waiting Order**

Traffic calming is currently in place for Burnley Lane, the purpose of which is to reduce vehicle speeds. However, this is compromised by on-street parking at peak times which needs to be addressed: implementation of enforceable prohibition of waiting restrictions will enable this to be carried out.

An Experimental Order is valid for a period of eighteen months: during this time its effectiveness can be monitored, and after the expiry of the eighteen-month period the Order can either be made permanent or modified.

4.2.2 **Proposed Restrictions**

Burnley Lane consists of a residential area within which is a school. It is therefore imperative that supplementary measures be implemented to ensure a safe environment for school children, residents and all visitors in the area.

In addition to the traffic calming measures already implemented, the Experimental Prohibition of Waiting Order as proposed and detailed in Schedules 1 and 2 would alleviate parking issues currently being experienced and in so doing improve the overall safety of the location.

5 **Options/Alternatives**

5.1 Option 1: To approve the recommendation

5.2 Option 2: Not to approve the recommendation

6 **Preferred Option**

6.1 The preferred option is to approve Option 1, i.e. the introduction of the proposed Experimental Prohibition of Waiting Order as shown in Schedules 1 and 2.

7 **Consultations**

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

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

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

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

8 **Comments of Chadderton North Ward Councillors**

8.1 The Ward Councillors have been consulted and Councillor M Ali and Councillor B Brownridge have no objections.

9 **Financial Implications**

9.1 The cost of introducing the Order is shown below:

	£
Advertisement of Order	1,200
Road Markings, Signage & Traffic Management	2,650
Total	3,850
Annual Maintenance Cost (calculated November 2021)	230

9.2 The advertising, road markings, signage and traffic management costs of £3,850 will be funded from the Highways Operations – Unity budget.

9.3 The annual maintenance costs estimated at £230 per annum will be met from the Highways Operations budget. 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)

10 **Legal Services Comments**

10.1 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 1984 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.

10.2 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.

10.3 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 this proposal 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**

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 – Alteration to visual appearance of area
- 17.6 Natural Environment – Nil.
- 17.7 Health and Safety – The scheme will create a safer environment for pedestrians

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

18.1 Nil.

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.

Experimental Prohibition of Waiting Order

Schedule 1

Revocation of existing Prohibition of Waiting

No Waiting Monday to Friday, 8am – 6pm

Road	Location	Restriction
Burnley Lane	From a point 50 metres east of its junction with Mill Brow for a distance of 83 metres in an easterly direction	No Waiting Mon-Fri 8am – 6pm

Schedule 2

Implementation of Experimental Prohibition of Waiting

No Waiting at Any Time

Road	Location	Restriction
Burnley Lane – North Side	From a point 50 metres east of its junction with Birch Avenue for a distance of 120 metres in a westerly direction.	No Waiting at Any Time
Burnley Lane – South Side	From a point 50 metres east of its junction with Birch Avenue to a point 50 metres east of its junction with Mill Brow.	No Waiting at Any Time
Burnley Lane – Both Sides	From its junction with Beech Avenue for a distance of 30 metres in a westerly direction	No Waiting at Any Time

No Waiting Monday to Friday, 8am-9am and 2pm-4pm

Road	Location	Restriction
Birch Avenue – Both Sides	From its junction with Burnley Lane for a distance of 30 metres in a northerly direction	No Waiting Mon-Fri 8am-9am and 2pm-4pm

APPROVAL

Decision maker

Signed:



Cabinet Member,
Neighbourhoods

Dated: 24.11.2021

In consultation with

Signed: John Lamb
Interim Director of
Environmental Services

Dated: 24.11.2021