

Report to TRO Panel

Smallbrook Road, Shaw Objection to Traffic Regulation Order

Portfolio Holder:

Cllr J Stretton, Cabinet Member for Neighbourhoods

Report Author: Sarah Robinson, Traffic Engineer

Officer Contact: Gordon Anderson, Head of Highways and Engineering

Senior Officer: Emma Barton, Executive Director for Place and Economic Growth

28 July 2022

Reason for Decision

The purpose of this report is to consider 3 objections to a proposal for prohibition of waiting restrictions to be introduced along Smallbrook Road, Shaw.

Recommendation

In view of the objections received, it is recommended that a slight alteration be made to the proposal which will reduce the length of the yellow lines to be introduced.

Smallbrook Road, Shaw – Objection to Traffic Regulation Order**1 Background**

- 1.1 A report recommending the introduction of prohibitive waiting restrictions, along part of Smallbrook Road, Shaw, was approved under delegated powers on 12th January 2022; a copy of the report is attached at Appendix A. The proposal was subsequently advertised, and 3 letters of objection were received.
- 1.2 Copies of the objections are attached at Appendix B
- 1.3 The proposal was promoted to address the obstructive parking regularly taking place along Smallbrook Road, which prevents access into the nearby Duchess Street Industrial Estate for the larger delivery vehicles. However, many of the residents along the route rely on the highway for parking and as the proposal will reduce the available on-street parking, objections have been received. The objectors have requested that changes are made to the operation of the industrial estate, which will result in the HGV drivers using a different route to access the industrial premises and will remove the need for additional double yellow lines to be introduced along Smallbrook Road.

2 Objections

- 2.1 Three objections have been received from residents of Smallbrook Road; their objections are summarised below: -
- There are very little parking options and a high parking demand
 - Busy summer day at the park and bowling matches makes parking even more difficult
 - The road isn't constructed for heavy vehicles
 - HGV type vehicles get stuck even without parking
 - A residents' parking scheme needs introducing even if waiting restrictions are introduced.
 - The existing yellow lines are not enforced
 - The one-way working is not enforced
 - There is insufficient parking in the area and additional yellow lines will place greater demand for non- residents to park outside residential properties.
 - Residents will have to park a greater distance away from their properties leaving them at risk of meeting undesirable people.
 - The road is not suitable to deal with industrial traffic
 - The proposal only benefits vehicles visiting the industrial area, residents and park users are disadvantaged.
 - The answer is to block duchess street near to Smallbrook Road and revert the street back to two-way traffic forcing industrial traffic to access and egress the area via Smallbrook Road.
- 2.2 The concerns of the objectors are understood; there is high demand for parking in the area due to the majority of residential properties not having off-street parking resulting in residents having to rely on the highway for parking. The nearby Dunwood Park is also a popular visitor attraction and whilst it has car park provision, the demand to park outweighs the number of car park spaces available, particularly during the summer months and the bowling season, when the highway is then used for overspill parking.

- 2.3 Enforcement of the yellow lines does take place within the Smallbrook Road area, but this is done on a rota system and unfortunately, Parking Attendants cannot be present all time.
- 2.4 The enforcement of the one-way working is currently the responsibility of the Police
- 2.5 The current access arrangement to the Duchess Street Trading Estate is via Smallbrook Road, with the exit via Cowie Street. In view of the claim from the objectors, that HGVs are unable access the trading park without the presence of parked vehicles, a track run analysis has been undertaken of an HGV type vehicle using Smallbrook Road to access the Trading Estate; the analysis shows the vehicles are able to access the trading estate, along this route, providing obstructive parking isn't taking place.
- 2.6 The objectors have suggested that the Smallbrook Road end of Duchess Street should be closed to through traffic to segregate the residential area from the industrial area, and that Duchess Street is reverted back to two-way traffic to allow access and egress from its Cowie Street Junction. This arrangement has recently been in place for a number of weeks whilst maintenance works were completed on the screens at Pencil Brook and the objectors cannot see any reason why this cannot be made a permanent arrangement.
- 2.7 As far as it can be established, the temporary closure of Duchess Street did not result in complaints from the companies that operate from within the trading area, however, temporary arrangements are not always suitable as a permanent measure. The reasons why this arrangement is not suitable as a permanent measure are listed below: -
- The Cowie Street junction is not wide enough to accommodate two-way HGV traffic flows. When two-way conflict occurs then one vehicle will have to reverse to allow the other through; reversing along Cowie Street would be a hazard to other motorists using the route and to accommodate the reversing manoeuvre, it would also be necessary to remove some of the on-street parking, which again is residential.
 - The left turn manoeuvre, into the side roads, accessed from Duchess Street, is very awkward for the larger rigid / HGV type vehicles and in some cases may even cause damage to neighboring properties.
 - Two-way traffic flows along Duchess Street will result in HGV type vehicles being positioned nearer to the brook wall; the Bridges and Structures Team are concerned about the structural stability of the wall should continual additional loads be introduced by HGV's.
 - If a physical blockage is introduced nearer to the Smallbrook Road junction, a turning head facility is required for access to the residential properties that will remain on the reduced length. Unfortunately, space is not available to construct this type of facility.
 - Even with a blockage on Duchess Street, the current parking practices along Smallbrook Road would obstruct the way for emergency service vehicles wishing to access the park and residential properties.
 - Blocking Duchess Street would remove a valuable route out of the area for all motorists

- 2.8 In view of the concerns of the residents regarding the removal of valuable on street parking provision, a 'track run' analysis has been undertaken of both an articulated vehicle turning left into Duchess Street and a fire engine travelling straight through to Woodend and both require the removal of parking from one side of the road. There is however an area of Smallbrook Road where the road widens slightly on approach to the park; at this point the vehicles do not need to utilise the road space, and parking could take place. It is therefore felt that the proposal could be amended, and this length of carriageway removed from the proposal to allow on street parking to continue. The drawing attached at Appendix 3 shows the length of Smallbrook Road in question.

3 Options/Alternatives

- 3.1 Option 1 – Introduce the restrictions as advertised
3.2 Option 2 – Do not introduce the restrictions and allow the obstructive parking to continue
3.3 Option 3 – Slightly amend the advertised proposal and allow a short length of parking to remain

4 Preferred Option

- 4.1 The preferred option is Option 3

5 Consultation

- 5.1 These were discussed in a previous report

6 Comments of Shaw Ward Councillors

- 6.1 Cllr Sykes supports the amended proposals as the best (not perfect) solution to the problems in this area.

Cllr H Gloster is happy to support this compromise

7 Financial Implications

- 7.1 These were dealt with in a previous report

8 Legal Services Comments

- 8.1 These were dealt with in a previous report

9 Co-operative Agenda

- 9.1 In respect of introducing prohibitive waiting restrictions on Smallbrook Road, Shaw, there are no Co-operative

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 a previous report
- 16 **Equality, community cohesion and crime implications**
- 16.1 These were dealt with in the 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 – Approved Mod Gov Report
Appendix B - Copy of Representations
Appendix C – Copy of Amended Proposal
- 22.0 **Proposal**
- 22.1 It is proposed that the original scheme be amended to remove a short length of double yellow line as shown on the drawing attached at Appendix C

Appendix A

Copy of Delegated Report

Delegated Decision

Proposed Prohibition of Waiting - Smallbrook Road, Shaw

Report of: Deputy Chief Executive – People and Place

Officer contact: Sarah Robinson – Traffic Engineer
Ext. 4377

23 December 2021

Purpose of Report

The purpose of this report is to approve the introduction of 'No Waiting at Any Time' restrictions along Smallbrook Road, Shaw to remove obstructive parking on the approach to Duchess Street Industrial Estate.

Recommendation

It is recommended that the 'No Waiting at Any Time Restrictions' detailed in the schedule at the end of this report be approved.

Proposed Prohibition of Waiting, Smallbrook Road, Shaw

1 Background

- 1.1 Smallbrook Road is a residential street which provides access to Duchess Street Industrial Estate and Dunwood Park. The street is fronted mainly by terraced properties, which do not have off street parking provision, consequently the residents rely on the highway for parking. This length of road is also used by visitors to Dunwood Park as overspill parking when the Park car parks become full, consequently the on-street parking is now at a level that is obstructive to larger HGV type vehicles wishing to access the industrial area.
- 1.2 The industrial area is subject to one way working, with access being via Smallbrook Road and egress via Cowie Street, however, the obstructive parking along Smallbrook Road is forcing the HGV drivers to enter the industrial estate via Cowie Street, in contravention of the one way working, which is also a highway safety issue.
- 1.3 To alleviate this problem, it is necessary to introduce double yellow lines on the easterly side of Smallbrook Road, from the end of the existing yellow lines to where the road meets Duchess Street, in accordance with drawing number 47/A4/1655/1.

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 is Option 1

4 Justification

- 4.1 To remove the obstructive parking being experienced along Smallbrook Road, it is necessary to introduce double yellow lines on the easterly side of the street.

5 Consultations

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

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

6 Comments of Shaw Ward Councillors

- 6.1 The Ward Councillors have been consulted and Councillor H Sykes supports this proposal as it will address the issues of irresponsible double parking which causes difficulties for vehicles accessing Duchess Street Industrial Estate.

7 Financial Implications

- 7.1 The cost of introducing the Order is shown below:

	£
Advertisement of Order	1,200
Introduction of Road Markings	500
Total	1,700
Annual Maintenance Cost (calculated November 2021)	100

- 7.2 The advertising and road marking costs of £1,700 will be funded from the Highways Operations – Unity budget.
- 7.3 The annual maintenance costs estimated at £100 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)

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 this 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 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 the area

15.6 Natural Environment – Nil.

15.7 Health and Safety – The removal of obstructive parking will create a safer environment for highways users

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

16.1 The removal of parking will not be favoured by residents, but highway safety outweighs the need to park

17 **Equality Impact Assessment Completed?**

17.1 No.

18 **Key Decision**

18.1 No.

19 **Key Decision Reference**

19.1 Not applicable.

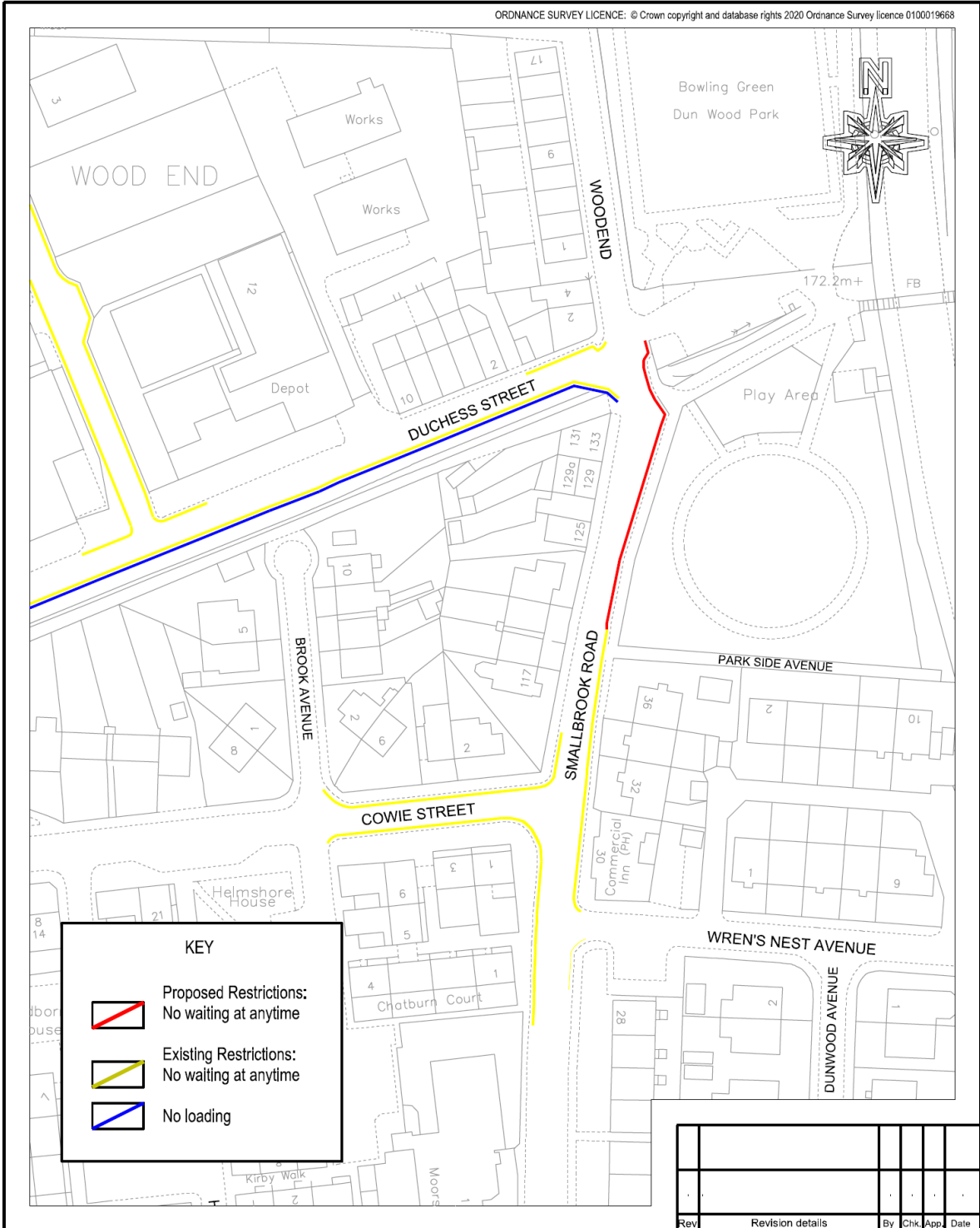
20 **Background Papers**

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




None.


21 **Proposal**

21.1 It is proposed that a Traffic Regulation Order be introduced in accordance with the following schedule and drawing number 47/A4/1655/1.



KEY

-  Proposed Restrictions:
No waiting at anytime
-  Existing Restrictions:
No waiting at anytime
-  No loading

	Client Oldham MBC		Title Smallbrook Road, Shaw Proposed Ammendment to Traffic Regulation Orders
	Project File Ref TM3/1072		
	Drawn by RW	Date 11-21	
HIGHWAYS & ENGINEERING Henshaw House, Cheapside, Oldham OL1 1NY	Checked by SR	Date 11-21	Drawing No. 47/A4/1655/1
	Approved by GS	Date 11-21	

Rev	Revision details	By	Chk	App	Date

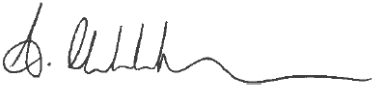
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Schedule

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

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Smallbrook Road, Shaw</u> East Side From a point 55 metres north of its junction with Wrens Nest Avenue for a distance of 59 metres in a northerly direction	At Any Time		

APPROVAL

Decision maker Signed:  Cabinet Member, Neighbourhoods	Dated: 12 th January 2022
In consultation with Signed: John Lamb Interim Director of Environmental Services	Dated: 11 th January 2022

Appendix B - Objections

I am writing in regards to the planned traffic regulation order proposed for Smallbrook Road Shaw. This is an area with very little parking options and a large parking demand !

As a resident of one of the houses facing the proposed lines , I struggle to park on a normal day . Busy summer days and bowling match days are impossible to park . Removing around an extra 10 parking spaces will not help this situation.

Working as a support worker I can often finish after midnight and don't fancy the walk back past the woods from the car park as this is the only other parking option .

The heavy traffic that comes through the area , and often is the issue with blocking the road is quite simply not meant for the size road .

I have photos of wagons "stuck" and blocking the road with or without cars parked on the proposed side .

Although it can't be done at the moment due to the work on the river and car park and road closures, if someone came to observe a general day of traffic it would be easy to see that the area is not purpose for the size and volume of wagons that go past . Countless tractors,large goods vehicles, delivery vans , and that's before any consideration to the park / bowling club visitors .

If the parking restrictions are deemed necessary then could there please be some kind of parking permit available to the 4 houses that this will greatly effect ?

Proposed traffic regulation order Ref: LJM/20576, prohibition of waiting amendment order 2022 (Smallbrook Rd, Shaw):

This letter is a formal objection to the measures proposed, for the following reasons.

Lack of enforcement

There are already double yellow lines, most notably to the end of Duchess Street, which are completely ignored. If these were enforced it would greatly improve the situation, but they aren't, which often leads to vehicles having to maneuver back and forth to get around the corner. Has better enforcement of the existing parking restrictions been considered or discussed? Are there any assurances that additional double yellow lines would be enforced better than the existing ones, if not they would just be a waste of money?

I've included below some images of an articulated lorry struggling to get around the corner, despite there being no cars parked where you have proposed the double yellow lines. The issue is cars parked on double yellow lines on Duchess St.

While discussing enforcement, I would like to bring to your attention the complete lack of enforcement, of Duchess Street being one way. If you stand on Duchess Street for a few hours any day of the week, you will witness at least one vehicle coming the wrong way down Duchess Street. While not related to the proposals, it is important to understand how the road is used. Where it two way, or the one way restriction enforced, a lot of near misses would probably be avoided.

Insufficient parking

There is already insufficient parking in the area. Even on quiet evenings when the bowling club meet there isn't anywhere to park by the time I get back from work.

Like all the residents I totally appreciate that I bought a house facing a park, where parking would be challenging on nice days. However, your proposal would mean residents would be unable to park outside their homes most of the day, all weekend, most weeks, plus a significant number of evenings. Where do you envisage residents parking?

It is also important to highlight the current issue, with the almost constant nightly patrol of people trying car and house doors in the area. There are numerous CCTV recordings on social media and a few weeks ago I was woken up by people in our house! My partner works shifts for Border Force, as does one of the other residents for the NHS. Your proposal greatly increases the risk they would meet undesirable people walking home late at night, as they may have to park a considerable distance from their homes.

Inadequacy of existing infrastructure

The existing road surface is once again getting broken up and sinking around manholes, as it was clearly never specified to deal with the size or frequency of vehicles using it. Last time the surface broke up to the current extent (in a different area), it coincided with a section of the culvert lid needing to be replaced. Double yellow lines would do nothing to respond to the fact the road is not suitable to deal with the traffic you are forcing to use it.

Surly the solution is to make Duchess Street two way and sign Smallbrook Rd as unsuitable for HGV's, rather than forcing them to use a busy residential street alongside a playpark? As this will be the case for the next 5-7 weeks, while remedial works are undertaken on the flood alleviation measures, I'm struggling to understand why it wouldn't be the permanent solution?

OBJECTION to Proposed Prohibition of Waiting– Smallbrook Road, Shaw Oldham - Reference LJM/20576

I wish to object to the proposal and offer a solution to the problem.

1. This proposal is for the sole benefit of deliveries etc. to the Duchess Street Trading Estate so that large vans and lorries can get through unhindered.

2. It is of no benefit to residents and users of Dunwood Park and the child play area, as you are reducing the available parking space.

3. Cowie Street is best for the growing traffic to the Trading Estate traffic, being wider the part of Smallbrook being discussed.

4. It would be better to keep residents and trading estate users separate, by making Duchess Street two-way traffic down to Number 10, when you have stop bollard and raised blocks, and then the remaining part of Duchess Street is for residents and park users.

5. All Trading Estate users coming from Milnrow Road will use Cowie Street and enter Duchess Street from there, as they are doing at this moment with the current road closures at Dunwood Park.

6. As a result it would mean less massively heavy lorries driving over the culvert of the brook, which has resulted in many repairs over the years because of their sheer weight.

7. It would mean greater access to Dunwood Park, the Children's Play Area and the Crown Green Bowling Club. The council heavily promote getting active these days as a result of Covid-19. More people attending the Park would also assist the Café which has been struggling and has changed ownership twice because of financial difficulties.

8. The potential for road accidents would be reduced. Some lorries and tractors drive around this area too fast, and children may run into the road from the play area. It would be good for the council to be initiative-taking rather than reactive after a tragic accident.

9. It may appear that I am putting the burden on Cowie Street, but Cowie Street is a well-used thoroughfare in comparison to this short part of Smallbrook Road which becomes a no-through road at the park entrance.

10. In conclusion, I recommend all Trading Estate Traffic uses Cowie Street, then on to Duchess Street, Duchess Street is blocked-off at No.10, creating two roads, one for residents and one for the trading estate.

Thank you

