

TRO Panel

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 19 January 2023

Subject: Objections to Proposed Prohibition of Waiting – Drake Close, Crompton Street and Henshaw Street, Oldham

Report Author: Andy Cowell, Traffic Engineer

Ward (s): Coldhurst

Reason for the decision:

A report recommending the introduction of prohibition of waiting restrictions at Drake Close, Crompton Street and Henshaw Street, Oldham, was approved under delegated powers on 8 December 2021. The proposal was subsequently advertised and two objections were received.

A copy of the approved report is attached at Appendix A and a copy of the objections are attached at Appendix B.

In summary both objectors state that the proposed restrictions will displace parking onto Crompton Street making it more difficult for those residents to park. One of the objectors has a disabled wife and concerns were raised regarding this.

Officers recognise that there may be some displacement from Drake Close which could result in a further reduction in the availability of on-street spaces on Crompton Street. However, the length of the proposed restrictions is the minimum though necessary to address the issues reported by FCHO, to protect nearby junctions and to protect the bend on Crompton Street. The disabled person has been invited to apply for a disabled parking bay to lessen any impact. The application has been received and

will be vetted as part of the next annual assessments in Spring 2023.

Summary:

The purpose of this report is to consider all representations received to the introduction of prohibition of waiting restrictions at Drake Close, Crompton Street and Henshaw Street, Oldham.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Option 1: Introduce the proposed restrictions as advertised
Option 2: Do not introduce the proposed restrictions

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and no comments have been received.

Recommendation(s):

It is recommended that the objections be dismissed and the proposal introduced as advertised in accordance with the schedule in the original report.

Implications:

What are the **financial** implications?

These were dealt with in the previous report (refer to Appendix A)

What are the **legal** implications?

These were dealt with in the previous report (refer to Appendix A)

What are the **procurement** implications?

If any procurement for works or supplies are required and the value falls under **£10,000-00**, no procurement process is required. Service Area to obtain at least 1 written Quotation specifying that the Council's terms and conditions will apply following the instructions in **Rule 5.1**(Oldham Council Contractual Procurement Rules). and file ready for audit inspection. Local Supply Chain including SMEs to be considered where practical. Specific exemption from Public Contract Regulations where public contracts between entities within the public sector that exercise control which is similar to that it exercises over its own departments. **(PCR 2015 Part 2, Ch1, sub section 3 rule 12)**,
(Philip Harper Oliver)

What are the **Human Resources** implications?

None

Equality and Diversity Impact Assessment attached or not required because (please give reason)

Not required because the measures proposed are aimed at improving road safety

What are the **property** implications

None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)

Risks:

None

Co-operative agenda

These were dealt with in the previous report (refer to Appendix A)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

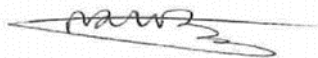
There are no background papers for this report

Report Author Sign-off:	
Andy Cowell	
Date: 20 December 2022	

Please list and attach any appendices:-

Appendix number or letter	Description
A	Approved Mod Gov Report
B	Copy of Representations

In consultation with Director of Environment



Signed :

Date: 20.12.2022

APPENDIX A

APPROVED MOD GOV REPORT

Delegated Decision

Proposed Prohibition of Waiting – Drake Close, Crompton Street and Henshaw Street, Oldham

Report of: Deputy Chief Executive – People and Place

Officer contact: Andy Cowell, Traffic Engineer
Ext. 4577

7 December 2021

Purpose of Report

The purpose of this report is to consider the introduction of prohibition of waiting restrictions at Drake Close, Crompton Street and Henshaw Street, Oldham.

Recommendation

It is recommended that prohibition of waiting restrictions are introduced in accordance with the plan and schedule at the end of this report.

Proposed Prohibition of Waiting – Drake Close, Crompton Street and Henshaw Street, Oldham

1 Background

- 1.1 Drake Close is a residential cul-de-sac located in the Oldham Edge area of Oldham, extending in a westerly direction from Crompton Street. The road forms part of an estate controlled by First Choice Homes Oldham (FCHO) who have recently contacted Highways to highlight an issue with vehicles parking on the southern footway of Drake Close.
- 1.2 The southern footway at Drake Close is around 5.5 metres wide and although not constructed to do so, it can accommodate vehicles parked fully along its length. The carriageway is a similar width and can therefore only accommodate parking on one side, which generally occurs on the north side, leaving the south side for traffic to pass along the road unhindered. Local residents utilise the wide footway on the south side to maximise their parking capacity without obstructing the carriageway.
- 1.3 Officers have inspected the location with FCHO and found that vehicles do park wholly on the southern footway, often two vehicles side by side. FCHO report that this parking affects access for pedestrians and access to a bin storage area.
- 1.4 In addition to the issues raised by FCHO, underground utility infrastructure is located within this footway and the continual parking of vehicles may cause damage to these services and the footway surface itself. Footways are not constructed to the same specification as carriageways and are not constructed to withstand continual vehicular forces.
- 1.5 It is therefore proposed to promote new prohibition of waiting restrictions along the south side of Drake Close to remove the problematic parking. The restrictions are enforceable to the back of the footway.
- 1.6 Restrictions will also be extended into Crompton Street and from Crompton Street into Henshaw Street to ensure that any parking displaced by the restrictions does not affect visibility and vehicular movements at these two nearby junctions.
- 1.7 Restrictions will also be applied to the inside of the bend located on Crompton Street to the north of Drake Close. Vehicles regularly park on or very near to the bend, which affects forward visibility to oncoming traffic.

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 The proposal will:

- prevent damage to the footway and utility infrastructure
- allow access to the bin store
- improve pedestrian access along the footway
- improve visibility and access at the junctions of Crompton Street/Drake Close and Crompton Street/Henshaw Street
- improve forward visibility at the bend on Crompton Street

5 **Consultations**

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

5.2 T.f.G.M. View - The Director General has been consulted and has no 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 Coldhurst Ward Councillors**

6.1 The Ward Councillors have been consulted and no comments have been received.

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 – The proposal will improve access along the highway.

15.3 Pollution – Nil.

15.4 Consumption and Use of Resources – Nil.

15.5 Built Environment – Nil.

15.6 Natural Environment – Nil.

15.7 Health and Safety – The proposal will improve safety for road users.

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

16.1 Nil.

17 **Equality Impact Assessment Completed?**

17.1 No.

18 **Key Decision**

18.1 No.

19 **Key Decision Reference**

19.1 Not applicable.

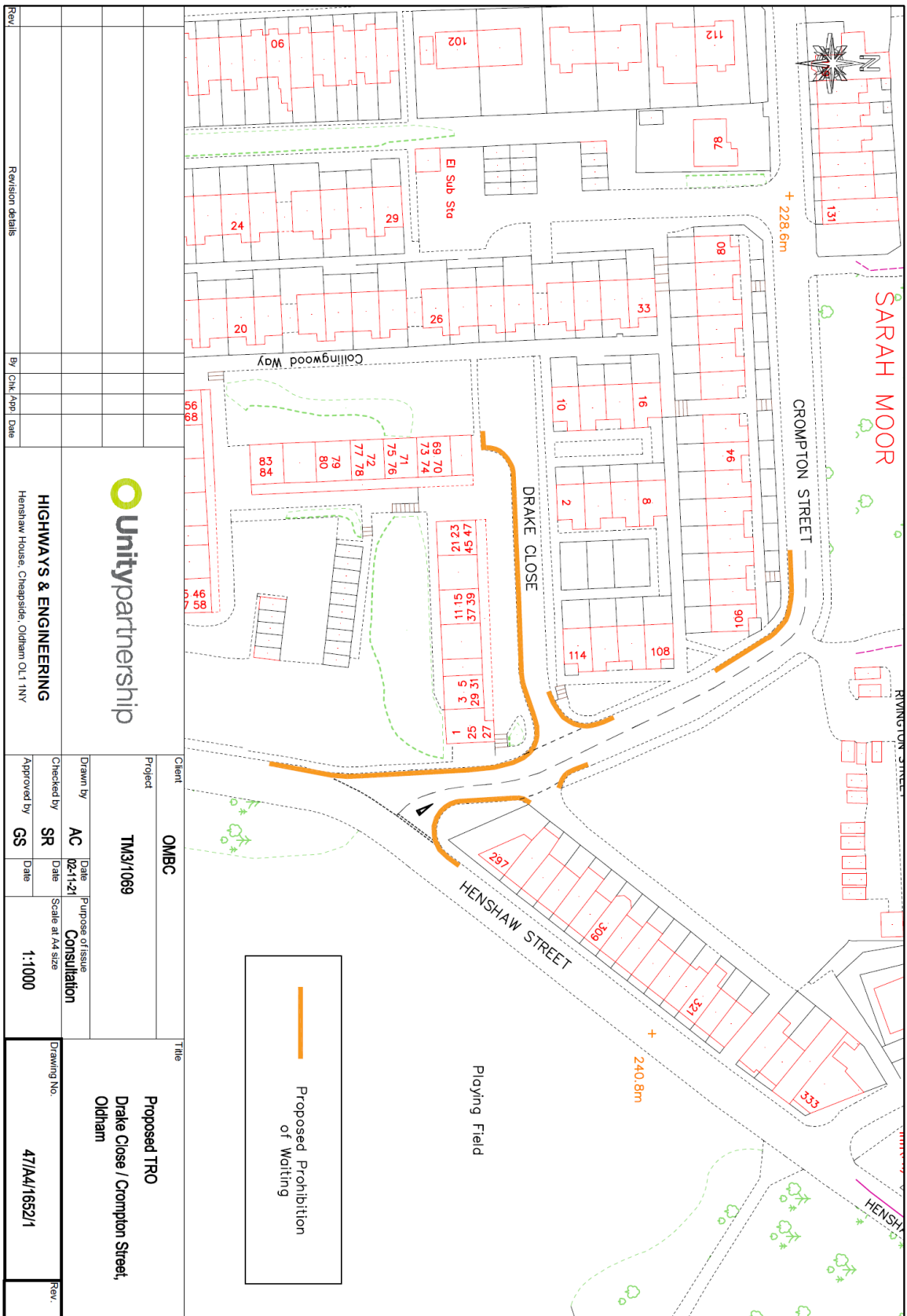
20 **Background Papers**

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.



Revision details		By	CHK/APP	Date
Rev				
<p>Unitypartnership</p> <p>HIGHWAYS & ENGINEERING</p> <p>Henshaw House, Cheapside, Oldham OL1 1NY</p>				
Client		OMBC		
Project		TM3/1069		
Drawn by	AC	Date	02-11-21	
Checked by	SR	Date	11-11-21	
Approved by	GS	Date	11-11-21	
Purpose of Issue		Consultation		
Scale at A4 size		1:1000		
Drawing No.		47/A4/1652/1		
Rev.				

T:\03 TEAM RESOURCE\Traffic & Network Man\01 Traffic\Traffic Files\QMS\TM Files\TM3 TROS\TM3-1069 Drake Close and Crompton Street - PoW\Drawing1.dwg

Schedule


Drawing Number 47/A4/1652/1

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

Part I Schedule 1 Prohibition of Waiting

Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Drake Close</u> (South side) From its junction with Crompton Street for a distance of 71 metres in a general westerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Drake Close</u> (North side) From its junction with Crompton Street for a distance of 10 metres in a south westerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Henshaw Street</u> (North west side) From a point 15 metres south west of its junction with Crompton Street to a point 10 metres north east of its junction with Crompton Street	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Crompton Street</u> (West side) From its junction with Henshaw Street to a point 10 metres north of its junction with Drake Close	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Crompton Street</u> (South west and south side) From a point 34 metres north west of its junction with Drake Close for a distance of 33 metres in a north westerly and then westerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Crompton Street</u> (East side) From its junction with Henshaw Street for a distance of 40 metres in a general northerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	

APPROVAL

<p>Decision maker</p> <p>Signed: </p> <p>Cabinet Member, Neighbourhoods</p>	<p>Dated: 08 December 2021</p>
<p>In consultation with</p> <p>Signed: John Lamb Interim Director of Environmental Services</p>	<p>Dated: 07 December 2021</p>

APPENDIX B
COPY OF OBJECTIONS

Objection 1

Dear Sir / Madam

I have been away for two weeks and upon my return, I found the above notice had been posted to my house. ■■■■ Crompton street Oldham.OL1 2 BT

Although the order does not specifically seem to affect our residence, it will in fact be the cause of us being unable to get our car in front of our property at times we need to. This will cause great inconvenience for my disabled wife, who receives attendance allowance, and finds it very difficult to walk any distance, without oxygen, in safety.

My objection is based on the fact that you are removing a facility, that has been in place since the estate was built, at a time when more and more people have the need to use a car to get to shops or work.

Visitors to occupiers; on Rivington Street, houses who will no longer be able to park or allow visitors to park, flats on Drake Close will not have sufficient parking spaces (due to people affected by the order taking spaces they used),

I often find space in front of my house taken up by the cars of people living or visiting others and this will be made worse by this proposed order,

Sufficient additional parking spaces have not been provided at the present time.

Any other restrictions will make the situation even worse.

Thank you for your considerations

Regards

Objection 2

I object to the proposed parking restrictions in the Compton st , henshaw st and drake close area that would cause mayhem as people from the street facing , Rivington street, park over here on crompton st too