

TRO Panel

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 11 January 2024

Subject: Objections to Proposed Prohibition of Waiting – Bullcote Green, Royton

Report Author: Andy Cowell, Traffic Engineer

Ward (s): Royton South

Reason for the decision:

A report recommending the introduction of No Waiting At Any Time restrictions at Bullcote Green, Royton, was approved under delegated powers on 24 April 2023. The proposal was subsequently advertised, and three objections and one supporting letter were received

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

A summary of the objector's comments and the Council's response (*in italic*) is detailed below.

The proposal will prevent residents and visitors from parking directly outside their properties. One property does not have access to off-street parking and other residents with one drive and two cars would be affected.

The proposed restrictions only cover one side of the road, so parking is available on the opposite (north east) side of Bullcote Green for residents and visitors to use.

One resident is self employed and needs to load and unload tools and equipment back and forth on a twice daily basis.

The restrictions do not include a loading restriction, so it is permissible to load and unload at any time.

Removing our right to park on the estate road would cause a significant loss in value to our property and impact its future saleability.

There is no legal mechanism to compensate residents where the Council is simply carrying out its duties as Highway Authority. The Council is not responsible for providing parking although parking is available on the north-east side of Bullcote Green, directly opposite the properties affected.

Residents are aware of the parking situation on a few weekends of the summertime when visitors to the Cricket Club look to park on Bullcote Green due to the limited parking available in the club car park. However, this is a handful of occasions during the cricket season only and residents have not witnessed any other emergency vehicles failing to proceed to their intended destination on the Green. The report refers to one incident last year and on the balance of probabilities, we suspect this is the only time it has occurred in nearly 40 years. The parking restrictions proposed are permanent and for the vast majority of the year will be not required. However, the restrictions will affect our lives every single day on a negative basis.

We have no knowledge of how many incidents have occurred with emergency service vehicles not being able to gain access. However, the Fire Service have been consulted and support the proposal. They also reported obstruction to fire hydrants.

A Residents Only Parking scheme should be introduced instead.

Unfortunately, budgets are no longer available for the introduction of Residents Only Parking schemes. Further to this, such schemes are generally reserved for areas where problems extend over a wide area such as near a football stadium or hospital. Schemes are not intended to address individual problems outside a property or along a single street.

A larger car park created for the cricket club should be created instead.

There are many locations where there are competing demands for parking on the highway, such as near shops, businesses or other sports venues. It is not the Council's responsibility to create parking for them. Often, this can only be accommodated on private land, not under the control of the Council.

A resident believes that this is the first step in a surreptitious plan to open up the end of Bullcote Green to divert through traffic along the road to avoid Bullcote Lane.

The traffic order proposal is in no way connected to any development plans. The traffic order is being funded by the Council from its revenue budget as documented in the report and was initiated following a complaint from a local resident.

Officers have considered the representations and believe that the proposed restrictions are fully justified.

Summary:

The purpose of this report is to consider the representations received to the introduction of a No Waiting At Any Time restrictions at Bullcote Green, Royton.

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 and plan in the original report.

Implications:

What are the financial implications?

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

<i>What are the legal implications?</i>	These were dealt with in the previous report (refer to Appendix A)
What are the procurement implications?	None
<i>What are the Human Resources implications?</i>	None
Oldham Impact Assessment Completed (Including impact on Children and Young People)	No
<i>What are the property implications</i>	None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)
Risks:	The Fire Service may not be able to access the end of Bullcote Green if the restrictions are not introduced.
Co-operative implications	These were dealt with in the previous report (refer to Appendix A)
Community cohesion disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998	None.
Environmental and Health & Safety Implications	If approved, the restrictions will improve access to the end of Bullcote Green in the event of an emergency.
IT Implications	None.

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

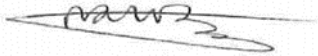
There are no background papers for this report

Report Author Sign-off:	
Andy Cowell	
Date: 5 December 2023	

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: 22 December 2023

APPENDIX A
APPROVED MOD GOV REPORT

Delegated Officer Report
(Non Key and Contracts up to a value of £100k)

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 21 April 2023

Subject: Proposed Prohibition of Waiting – Bullcote Green, Royton

Report Author: Andy Cowell, Traffic Engineer

Ward (s): Royton South

Reason for the decision:

Bullcote Green is a residential cul-de-sac located in the Heyside area of Royton. It extends from the B6194 in a south easterly direction to its terminus, a distance of approximately 220 metres. All the residential properties are located on the south side and have off-street parking facilities. Two further connecting cul-de-sacs branch off in a south westerly direction and these are approximately 90 metres long.

Heyside Cricket Club is located on the north side of Bullcote Green and the club have regular matches which generates on-street parking along both sides of the road. There are existing parking restrictions in operation at the western end of Bullcote Lane at the junction of the B6194, which also cover the entrance to the cricket club.

The Highways Department of the Council recently received a request from a resident of Bullcote Green for new waiting restrictions to be introduced along the south side to address obstruction issues. It is reported that during cricket matches, visitors park on both sides of Bullcote Green which has led to the Fire Service having problems gaining access to the end of the road. The Fire Service have recently attended the site and leafleted offending vehicles.

The Highways Department have made contact with the Fire Service and they support the introduction of parking restrictions as a permanent solution to the access problems and

also to prevent vehicles parking over fire hydrants.

Officers have inspected the site and fully support extending the existing restrictions along the south side of the road to cover the full length, including the turning head at the eastern end and around the two junctions with the connecting cul-de-sacs.

It is proposed to promote new prohibition of waiting restrictions on Bullcote Green as detailed on plan 47/A4/1670/1.

If approved, the proposal will:

- improve vehicular access along Bullcote Green especially for emergency service vehicles
- improve access to fire hydrants
- allow motorists to use the turning head unhindered

Summary:

The purpose of this report is to consider the introduction of prohibition of waiting restrictions at Bullcote Green, Royton

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

Option 1: To approve the recommendation
Option 2: Not to approve the recommendation

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

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

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

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

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

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

Recommendation(s):

It is recommended that a new Traffic Regulation Order be introduced in accordance with the plan and schedule at the end of this report

Implications:

What are the **financial** implications?

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	100

The advertising & road marking expenditure of £1,700 will be funded from the 2023/24 Highways TRO budget.

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.

(John Edisbury)

What are the **legal** implications?

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.

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)

What are the **procurement** implications?

None

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 highway 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

The introduction of a No Waiting At Any Time restriction is welcomed to keep residents and pedestrians safe (Mahmuda Khanom)

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

Schedule
Drawing Number 47/A4/1670/1

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

Part I Schedule 1
Prohibition of Waiting

Item No	Length of Road	Duration	Exemptions	No Loading
	<p><u>Bullcote Green, Royton</u> (South-west side)</p> <p>For its whole length including the cul-de-sac end, a distance of approximately 222 metres</p>	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<p><u>Bullcote Green, Royton</u> (North-east side)</p> <p>In the turning head, from its most easterly point for a distance of 20 metres in a north westerly direction</p>	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<p><u>Bullcote Green, Royton</u> (Both sides)</p> <p>Within the most westerly connecting cul-de-sac extending from its junction with the main spine road adjacent to numbers 5 and 32 Bullcote Green for a distance of 10 metres in a south westerly direction</p>	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<p><u>Bullcote Green, Royton</u> (Both sides)</p> <p>Within the most easterly connecting cul-de-sac extending from its junction with the main spine road adjacent to numbers 36 and 57 Bullcote Green for a distance of 10 metres in a south westerly direction</p>	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	

Delete from the Oldham Borough Council (Royton Area) Consolidation Order 2003

**Part I Schedule 1
Prohibition of Waiting**

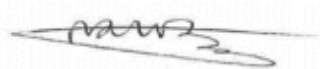
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Bullcote Green, Royton</u> (South Side) From its junction with Heyside for a distance of 45 metres in an easterly direction	At any time	A, B1, B2, B3, B4, C, E, J, K3	

There are no background papers for this report

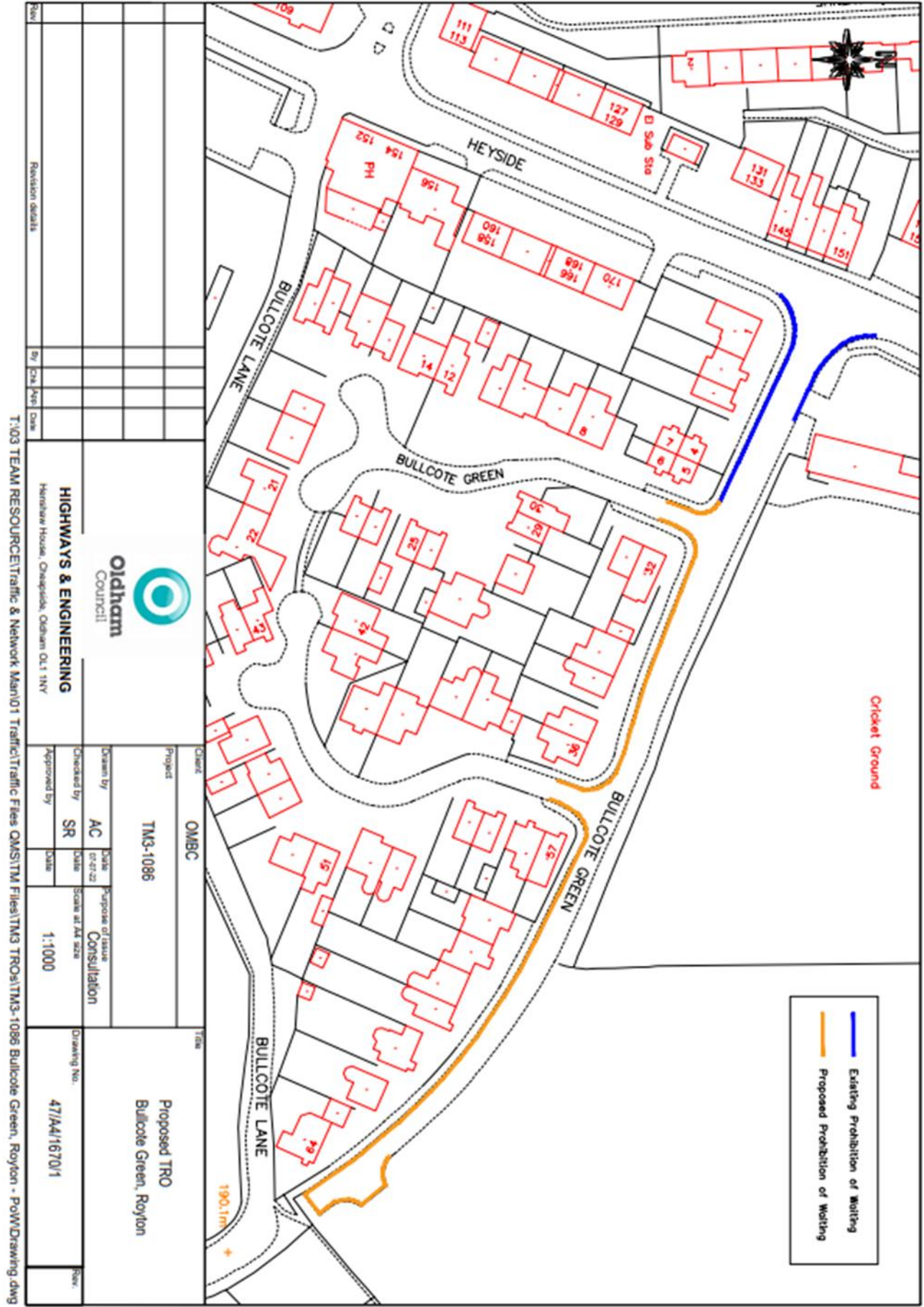
Report Author Sign-off:	
Andy Cowell	
Date: 21 April 2023	

In consultation with Director of Environment

Signed :



Date: 24.04.2023



Revision details		By		Date	
 Oldham Council		HIGHWAYS & ENGINEERING Hereward House, Chesepide, Oldham OL1 1NY		Project: TM3-1086 Client: OMBC	
Drawn by: AC Checked by: SR Approved by:	Date: 02/12/22 Date: 02/12/22 Date:	Purpose of Issue: Consultation	Scale at A4 size: 1:1000	Drawing No.: 47/A4/1670/1	
Proposed TRO Bullcote Green, Royton					
T:\03 TEAM RESOURCE\Traffic & Network Man\01 Traffic\Traffic Files QMS\TM Files\TM3 TRO\TM3-1086 Bullcote Green, Royton - POW\Drawing.dwg					

APPENDIX B
COPY OF REPRESENTATIONS

Letter of Support

We agree for the above proposal re:- proposed parking restrictions on BULLCOTE GREEN

Yours faithfully Mr ,Mrs XXXXXXXXX
XX Bullcote Green ,

Objection 1

Dear Sirs,

We have received notification of your proposal dated 31st August 2023 and wish to object.

We are the owner occupiers of XX Bullcote Green and would be seriously impacted by the proposal. If the restrictions were enforced we wouldn't have anywhere to park our vehicles. Our property does not have a private driveway or parking within the property boundaries.

We currently park to the side of our property and have done throughout our period of ownership, of over 25 years without hiderance.

Removing our right to park on the estate road would cause a significant loss in value to our property and impact its future saleability.

We chose to live on a quiet cul de sac where young children have a safe place to play out. The properties are suited to young families and we are urging the Council to reconsider any changes to the road layout which would have a detrimental effect to the residents of Bullcote Green.

Unfortunately we are unable to attend your offices to view the draft Order due to work commitments, however we would keen to hear from any representative from the Council.

Kind Regards

Dear Andy,

Thank you for your email your prompt response is appreciated and your comments are noted.

However, we feel it is necessary to repeat that unlike other properties on Bullcote Green our property does not benefit from parking facilities within the boundaries as we do not have a driveway or garage unlike our neighbours. We would welcome a site inspection or alternatively we can provide photographic evidence.

The proposed restrictions would significantly impact our daily lives as we would potentially not be able to park outside or even close to our property. Mr Xxxxxx is self employed and needs to load and unload tools and equipment back and forth on a twice daily basis.

We would gratefully appreciate consideration to be made by the council to our circumstances bearing in mind our unique situation. Not being able to park outside our property would be devastating for us

To clarify we do not object to parking restrictions being imposed for the rest of the estate.

We look forward to hearing from you and would be more than happy to discuss this further with you directly if this would assist.

Kind Regards

In addition to my previous objections to the proposed Parking Restrictions outside my property I have discussed the potential loss in value and saleability with a local valuer on an informal basis. I have been informed that I should expect a potential reduction of around £10,000 to the value of my property should the restrictions be enforced outside of my property which is very concerning to us. This along with the impact of any potential buyer dismissing the property due to not being able to park outside or close by the property is causing us considerable distress.

Would the council consider compensation in this event?

I understand my neighbour (XX Bullcote Green) is also very concerned about the proposal and has communicated this to you.

I await to hear from you as soon as possible as we are increasingly anxious about this situation we find ourselves in.

Kind regards

Good Morning,

Further to our previous correspondence we wanted to reiterate that we are only concerned about the impact the proposals will have on our own property (XX Bullcote Green) due to our unique situation. We would like the Council to consider amending the proposed restrictions to the area shown on the below plan, highlighted as the road to the side of our property.

If the parking restrictions were implemented we would be the only residents on the estate not allowed to park outside their property and this is due to the layout of the estate.

Having been residents of Bullcote Green over 25 years we are of course aware of the parking situation on a few weekends of the summertime when visitors to the Cricket Club look to park on Bullcote Green due to the limited parking available in the club carpark, however this is literally a handful of occasions during the cricket season only.

The parking restrictions proposed are permanent and for the absolute vast majority of the year will be not required however the restrictions will affect our lives every single day on a negative basis.

We look forward to hearing from you that you have taken our opinions into account for when the impending decision is made.

We appreciate that when looking at a plan you could not possibly be aware of the impact this kind of decision would have on a resident's daily life and we hope that we have been able to put our side across to the decision makers.

We now hope that this situation can be concluded satisfactorily for all party's involved.

Kind regards

Objection 2

Hello, my name is XXXXX XXXXX and i would like to log an objection to the draft proposal made on bullcote green.

I live at number XX bullcote green with my partner and 2 kids and we both have a car each, there is only one drive available and with these plans that have been drafted id like to know how are we meant to park our other car outside our home? How are elder parents or family members supposed to drive up to visit us if everywhere is double yellow lines?

Between house numbers 57 and 58 we utilise this parking space on the pavement 57 for example doesn't even have a drive so he needs that space on the road as does my partner for her car as we only have space for one vehicle on the drive we have.

I would appreciate it if these draft plans can be re-thought I know at house 64 at the end near the turning circle will be in the same boat as we are as they have one drive and two cars, many others do car share but this will really cause an issue for us and others parking every day, would it not make more sense to just list the area as permit holders only?

This way we are not being effected due to cricket that's only ever played 3 months of the year. The person who sent in the complaint to push for this literally had people park outside of his drive I'm not sure what sort of people do that but I think having the whole area as permit only and having each home have a spare permit for family visitors is reasonable, I'd like to think this could still be monitored and upheld no different to double yellows and I know when I visited my brother who lived down sheep foot lane near Oldham athletic FC this is what they had permit holders only parking and it worked.

Look forward to hearing back

Thanks

Objection 3

Good Afternoon

Thank you for your letter of August 30 hand delivered today, reference AC/TM3.

As the first and only occupiers of XX Bullcote Green since the estate was constructed in 1983 the first question I would like to ask is Why? What has happened to convince you in the 39 years we have lived here that this action is necessary?

Please explain the thinking behind the proposed the parking restrictions.

Please tell me where my children can park when they visit me with our grandchildren?

My immediate reaction is that this is the first step in a surreptitious plan to open up Bullcote Green adjacent to number 64 and divert traffic through our estate rather than the continuation of traffic past number 64 down Bullcote Lane until the traffic lights are reached at Oldham Road, adjacent to the Saffron Indian restaurant.

I would like to place on record our objection in the strongest possible terms to the proposals. They are unnecessary impactful and unwanted.

When the Greater Manchester Spatial Framework was first introduced, part of the plans was to open up the road adjacent to number 64. We have seen various people either from the Council or working for the council and have spoken to them when they have shown up outside our house and the one message that has frequently come out is that Bullcote Green does not look as wide as the plans suggest. If the plans suggest that parking will be permitted on the hedge side rather than property side of the road, then it will be impractical to allow parking on just one side of the road.

These proposals need to be scrapped. The Greater Manchester Spatial Framework is currently replaced by Places for Everyone. That is just as unwanted as your proposed parking restrictions.

Please withdraw them.

In the meantime, I await your reply to my request for the reasoning behind this unwelcome proposal.

The only other reason I can guess is behind your proposals is that there have been complaints about parking connected with the cricket club.

Regards

Good Morning

Further to your communication dated August 30 2023 (Your Ref AC/TM3) and my recent E Mail exchanges with Andy Cowell I would like to make the following enquiries and observations in connection with our objections to the proposal.

The proposed Traffic Regulation order is said to be the principally the result of parking on days when cricket games are taking place which has on an occasion outlined prevented an emergency vehicle gaining full access up the Green. My wife and I have lived at number XX since the estate was constructed in 1983 and whilst we have no way of proving this as we are not in residence 24/7 and have taken holidays during our time here, we have not seen in what will be 40 years this December, any other emergency vehicles failing to proceed to their intended destination on the Green. The correspondence I have received from you refers to one incident last year and on the balance of probabilities, I suspect this is the only time it has occurred in nearly 40 years. If you have any evidence which contradicts this, I will be pleased to receive this.

Has the Council considered additional parking for visitors/players on match days ? The cricket season begins approximately the end of March and finishes appoximately at the end of September .

It seems to me that residents of Bullcote Green are being penalised over parking on match days and the cricket visitors have nothing to do with Bullcote Green residents or their estate so an alternative needs to be sought.

You have indicated that the proposed parking restrictions are not connected to any development plans but the Places for Everyone Plan would suggest this may be the thin

end of the wedge and if the Green is opened up adjacent to number 64, this also would have a huge impact on residents, children, their safety, environmental impact and the quietness of of the Green.

Out of interest, can I enquire as to who has funded the proposed Traffic Regulation Order? If it is the Council, what are their reasons for doing so? If it should be interested house builders, what would their reasons be?

As residents of Bullcote Green, we would much prefer residents parking to be permitted which would enable us to continue to park outside our own houses as we have done for almost 40 years without losing the safety and appeal of our estate and still allow emergency vehicles up the estate in the same way they have done for almost 40 years with negligible issues considering the time scale.

We look forward to hearing from you.

Regards