

TRO Panel

| | |
|--------------------------|---|
| Decision Maker: | Director of Environment, Nasir Dad |
| Date of Decision: | 11 January 2024 |
| Subject: | Objections to Proposed Prohibition of Waiting – Rhodes Hill and Maltby Court, Lees |
| Report Author: | Andy Cowell, Traffic Engineer |
| Ward (s): | Saddleworth West and Lees |

Reason for the decision:

A report recommending the introduction of No Waiting At Any Time restrictions at Rhodes Hill and Maltby Court, Lees, was approved under delegated powers on 26 April 2023. 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 is attached at Appendix B.

Two objections were received from residents living in the terraced properties at the lower end of Rhodes Hill, opposite Maltby Court.

In summary, the objectors state that the proposed restrictions will prevent them from parking on the paved area opposite their properties. There is a limited amount of parking directly outside the terraced properties on Rhodes Hill and damage has occurred to vehicles in the past. The objectors also raise the issue of speeding vehicles and request that traffic calming measures be introduced.

Officers have considered the objections but believe that the restrictions are fully justified. The area in question, opposite these properties and immediately to the south-east of Maltby Court, forms part of the footway and parking on

this area is, therefore, illegal with or without parking restrictions. It should also be kept clear to provide adequate visibility for motorists exiting Maltby Court and for pedestrians to use without obstruction. An image of the area is shown in Appendix C.

There are currently no plans to introduce traffic calming measures on Rhodes Hill. There is a limited amount of funding for such measures. Funding is targeted towards areas with an injury accident record and Rhodes Hill is below intervention level.

In summary, if approved the proposal will:

- increase visibility along Rhodes Hill for motorists exiting Rhodes Place
- improve refuse vehicle access into Rhodes Place
- improve traffic flows along Rhodes Hill
- prevent parking at the junction of Maltby Court
- prevent parking on the footway south east of Maltby Court

Officers have considered the objections but believe that the proposed restrictions are fully justified.

Summary:

The purpose of this report is to consider objections received to the introduction of No Waiting At Any Time restrictions at Rhodes Hill and Maltby Court, Lees

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 Councillor S Al-Hamdani states: I note that there is a response in the appendix to my original comments. However, I would still like it noted that there should be a considered approach taken to this proposed scheme as to how increased speeds would be dealt with should they occur as a result.

Councillor A Marland: I approve this proposal for the prohibition of waiting at this location.

This enforcement will improve visibility for the drivers and pedestrians and prevent vehicles blocking the entrance to Maltby Court.

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)

*What are the **legal** implications?*

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

What are the **procurement** implications?

None

*What are the **Human Resources** implications?*

None

Oldham Impact Assessment Completed (Including impact on Children and Young People)

No

*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:

There is a potential risk to users of the highway 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 safety for all road users.

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

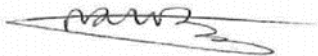
There are no background papers for this report

| | |
|---------------------------------|--|
| 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 Objections |
| C | Image of Footway at Maltby Court Junction |

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: 26 April 2023

Subject: Proposed Prohibition of Waiting – Rhodes Hill and Maltby Court, Lees

Report Author: Andy Cowell, Traffic Engineer

Ward (s): Saddleworth West and Lees

Reason for the decision:

Rhodes Hill is a local distributor road located on the south side of Lees. It forms part of the urban area and has a speed limit of 30mph. On the north side, to the west of Lees New Road, there are residential properties that front on to the road having no off-street parking facilities. On-street parking therefore generally takes place on the north side although some parking activity also takes place on the south side, this restricting the flow of two-way traffic. The only existing parking restrictions in operation in the area are on the south side covering the junction of Lees New Road.

The Highways Department of the Council recently received a parking complaint from staff at Rhodes Place, which is a care facility located on the corner of Rhodes Hill and Lees New Road. Rhodes Place has a dedicated car park accessed directly from Rhodes Hill positioned approximately 20 metres west of Lees New Road. It is reported that vehicles parked near to the access affects visibility for visitors and staff exiting the car park. Concerns have also been raised that vehicles parked on each side of the access also prevent refuse vehicles from turning into the car park. This has resulted in commercial waste not being collected.

Officers have inspected the location and support new restrictions to address the issues reported and to ease two-way traffic flows. To prevent vehicles being displaced further along Rhodes Hill, the proposal has been extended to the next

junction along at Maltby Court and into the mouth of the junction for completeness.

It is proposed to promote new prohibition of waiting restrictions on the south west side of Rhodes Hill and on both sides of Maltby Court as detailed on plan 47/A4/1669/1.

If approved, the proposal will:

- increase visibility along Rhodes Hill for motorists exiting Rhodes Place
- improve refuse vehicle access into Rhodes Place
- improve traffic flows along Rhodes Hill
- prevent parking at the junction of Maltby Court

Summary:

The purpose of this report is to consider the introduction of prohibition of waiting restrictions at Rhodes Hill, Lees.

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 Councillor M Kenyon has commented, my own view is that I wouldn't want to introduce parking restrictions which results in a less obstructed highway and therefore increases the propensity for vehicles to speed. Double yellows in the areas you have indicated should be accompanied with speed cushions or other measures to reduce vehicle speed.

For the visibility problems of Rhodes Place, I would support sufficient parking restrictions to enable safer use of that access.

Councillor S Al-Hamdani has commented, there have been multiple crashes in the area recently (none that involved an injury). While there is a clear benefit to the installation of double yellow lines, consideration needs to be given to any increase in speeds as a result. If a decision in favour is reached, a plan should in place to address increased speeds should they manifest

Response to Councillors Comments

It is not usual practise to install speed cushions wherever parking restrictions are installed as this would require separate funding. It is the case though that often restrictions are introduced adjacent to speed cushions so that the cushions can be negotiated by motorists correctly. The proposal was extended down to Maltby Court to cater for any displacement. Very few, if any, vehicles are found to be parked along this stretch of road, but if vehicles do park here then this would prevent the two-way flow of traffic and also cause a hazard the closer vehicles are to the bend

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/A4/1669/1

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

Part I Schedule 1 Prohibition of Waiting

| Item No | Length of Road | Duration | Exemptions | No Loading |
|---------|---|-------------|-----------------------------------|------------|
| | <u>Rhodes Hill, Lees</u> (South west side) From its junction with Lees New Road to a point 12 metres north west of its junction with Maltby Court | At any time | A, B1, B2, B3, B4, C, E, F, J, K5 | |
| | <u>Maltby Court, Lees</u> (Both sides) From its junction with Rhodes Hill for a distance of 10 metres in a south westerly direction | At any time | A, B1, B2, B3, B4, C, E, F, J, K5 | |

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

**Part I Schedule 1
Prohibition of Waiting**

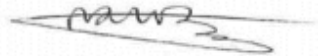
| Item No | Length of Road | Duration | Exemptions | No Loading |
|---------|---|-------------|--------------------------------|------------|
| (0478) | <u>Rhodes Hill, Lees</u> (South west side) From its junction with Lees New Road for a distance of 11 metres in a north westerly direction | At any time | A, B1, B2, B3, B4, C, E, J, K3 | |

There are no background papers for this report

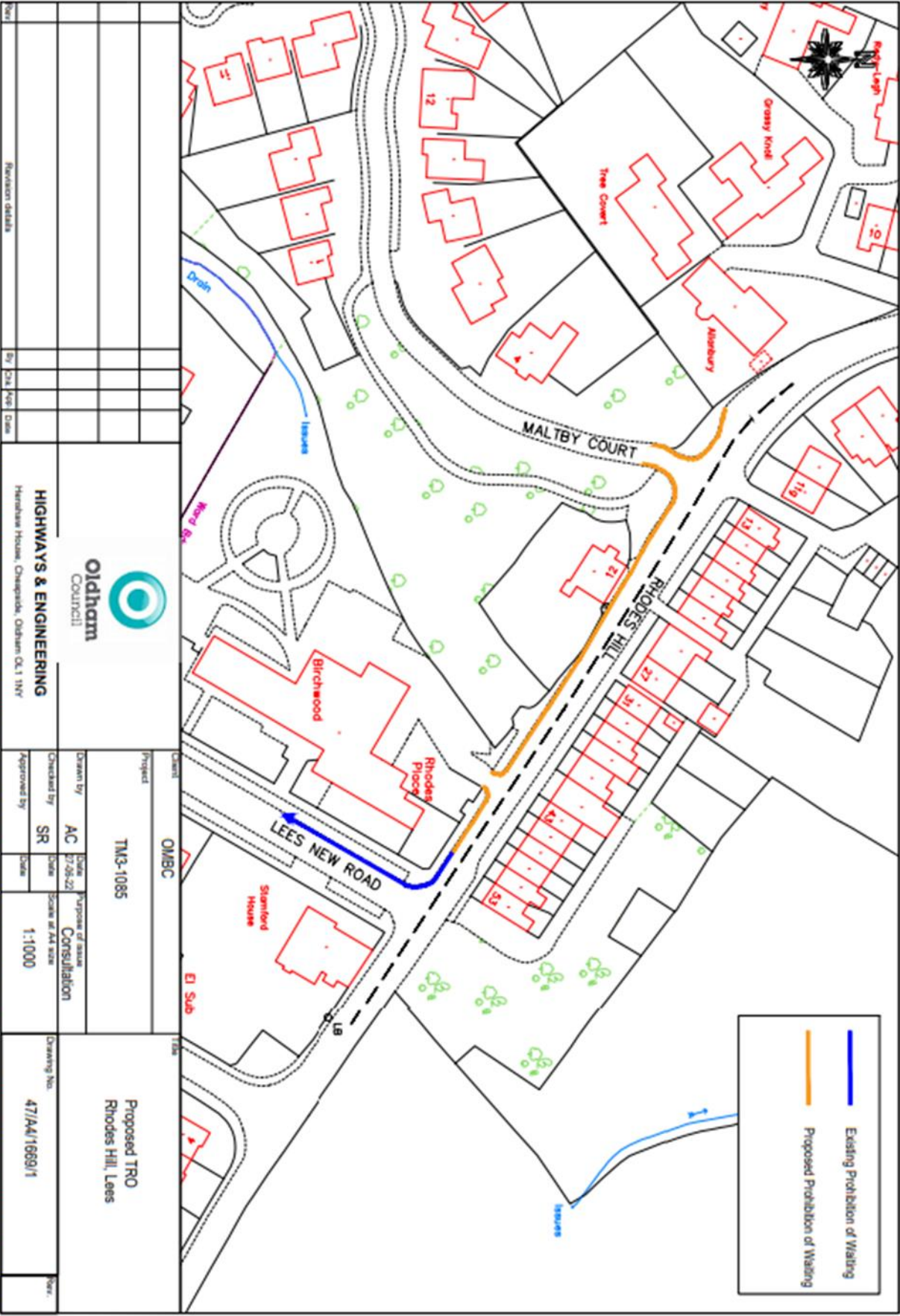
| | |
|--------------------------------|--|
| Report Author Sign-off: | |
| Andy Cowell | |
| Date: 26 April 2023 | |

In consultation with Director of Environment

Signed :



Date: 26.04.2023



| | | | |
|------------------------------|-------------|--|-------------------|
| <p>Oldham Council</p> | | <p>HIGHWAYS & ENGINEERING</p> <p>Herbison House, Chaprod, Oldham, OL1 1NY</p> | |
| Client | OM/BC | Project | TM3-1085 |
| Drawn by | AC | Purpose of issue | Consultation |
| Checked by | SR | Scale | Scale as per size |
| Approved by | | Scale | 1:1000 |
| Drawing No. | 47/A/1669/1 | Proposed TRD Rhodes Hill, Lees | |
| Revision details | By | Date | |

T:\003 TEAM RESOURCE\Traffic & Network_Mam\01 Traffic\Traffic Files QMS\TM Files\TM3 TRO\TM3-1085 Rhodes Hill, Lees - Pow\Drawing Rhodes Hill.dwg

APPENDIX B
COPY OF OBJECTIONS

Objection 1

Hi,

I hope you are well. I am contacting you in relation to your letter dated 30/08/23. Myself and my husband reside at 15 Rhodes Hill and have done so for well over a decade.

I have attached the map you enclosed, and have marked on in red an area opposite the Rhodes Hill terrace houses where some of the residents currently park off-road. I would like clarification that this new proposal does not restrict our ability as residents to park on this paved area opposite our homes please?

I would hope you are aware that there have been numerous serious accidents and thousands of pounds-worth of damage to the front gardens and vehicles of said residents over the past few years. If we are restricted from parking in the marked area there is inadequate parking, based on one car per household from 13 Rhodes Hill to 21 Rhodes Hill; and the likelihood of further accidents and damage will increase significantly. This stretch of road is extremely dangerous and we as residents feel more should be done as soon as possible to control speed limits outside our homes. We also have a right to be able to park our vehicles safely outside / nearby to our homes. As a disabled resident, this is particularly important.

I would appreciate your clarification on this matter and your consideration in terms of the other concerns I have raised.

Thanks in advance!

Kind Regards,

Objection 2

Dear A. Cowell,

I am writing to you in regards to the letter received on Aug 30th 2023 concerning parking changes on Rhodes Hill, Maltby Court and Lees New Road. Ref: LJM/TO23 VF 22676. My sons and I have resided in XX Rhodes Hill for 5+ years.

Firstly, I would like to voice my objection to the proposed changes in front of the residences #13-#21 Rhodes Hill. Since I have been a residence, myself and several neighbours have had consistent damage to our cars directly in front of our homes. I had side mirrors broken off several times. Three of my neighbours (#15, #19 & #21) each had their cars completely written off (some twice) due to this issue. We have all used the paved area across the street, since doing so there has been no incident's. If this proposal is passed our cars will be in jeopardy of damage and or loss once again. The changes proposed has caused anxiety and if passed I worry about the mental health of myself and my neighbours because of the damage we have all faced with our vehicles and yards.

Secondly, would it be possible to put in speed bumps along Rhodes Hill particularly in front of our residence or send observers to witness for themselves how dangerous the road can be particularly in the evenings and weekends?

Due to the inadequate parking for residences, and the proven issues with accidents and damage to cars, I strongly oppose the changes being suggested in front of our homes (#13-#21) and hope that you will take into consideration these issues before moving forward with any decision.

I appreciate your time and consideration into this matter and look forward to hearing from you moving forward.

Kind Regards,

APPENDIX C

IMAGE OF FOOTWAY AT MALTBY COURT JUNCTION

