

## TRO Panel

**Decision Maker:** Director of Environment, Nasir Dad

**Date of Decision:** 11 January 2024

**Subject:** Objections to Proposed Prohibition of Waiting and Disabled Persons Parking Place - Woodend Street and Springlees Court, Lees

**Report Author:** Andy Cowell, Traffic Engineer

**Ward (s):** Saddleworth West and Lees

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**Reason for the decision:**

A report recommending the introduction of No Waiting At Any Time restrictions and a disabled persons parking place at Woodend Street and Springlees Court, Lees, was approved under delegated powers on 10 July 2023. The proposal was subsequently advertised, and two objections and three supporting letters were received.

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

One objection was received from a resident of Woodend Street and one from a solicitor acting on behalf of a local business on Woodend Street. Two further objections were also received from residents of Springlees Court and a third one from a person acting on behalf of a relative living at Springlees Court. However, once the justification for the scheme was sent to them, none objected formally. None of the objections relate to the disabled persons parking place.

Three supporting letters were received from residents of Springlees Court and Dunsford Court. In summary, the supporters believe that the restrictions are essential to prevent vehicles

blocking footways, parking dangerously at junctions and obstructing vehicular access into Springlees Court and Dunsford Court. The situation is compounded as the residents are elderly and concerns were raised over emergency vehicle access to both assisted living facilities.

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

If the restrictions are introduced, customers that visit a local business on the street would park outside residents properties, making it difficult to park on Woodend Street and within the parking bays outside Springlees Court and Dunsford Court.

*It is not actually possible to determine where motorists will decide to park. Given that the junction is located in the centre of Lees, it is only a short walk from many other streets.*

*If approved the proposal will maintain safe access for larger vehicles, including emergency service vehicles to Springlees Court and address the issues reported at the junction of Woodent Street and Hartshead Street. Clearly, it is not possible to address these issues without reducing the number of on-street parking spaces in this area. If approved, then customers of the local business will have to find an alternative place to park. This is the same at any location where new restrictions are introduced. There are competing demands for parking on many roads within Lees due to waiting restrictions being in place.*

*A Highways Officer has visited Springlees Court and Dunsford Court with a Ward Member and the site manager to explore options to increase the number of parking bays. However, this was not cost effective. The owners of the building have also explored the option of a stopping up order to take the parking area into private ownership, which would enable them to introduce their own parking controls.*

Residents do not support the proposal unless there are plans for residential parking permits

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*Unfortunately, the location would not qualify for a Residents Only Parking scheme. Further to this, there is currently no budget for new schemes and the Council is, therefore, not in a position to introduce any new ones. Residents parking schemes are also not introduced to compensate for the loss of on-street parking spaces when new waiting restrictions are approved.*

After further consideration, the solicitor representing the local business supported all the restrictions, except those on the south side of Woodend Street. It is their view that these restrictions are not required.

*It is important that restrictions are introduced on the south side of Woodend Street as parking here affects traffic entering from Hartshead Street. The problem is compounded by the geometry of the junction and the horizontal alignment in advance (north-westbound). Parking on the south side is a safety concern along with parking at the mouth of the junction, which blocks the footway and generally hinders turning manoeuvres. Where Woodend Street widens further east, there are no restrictions proposed on the south side. The restrictions only extend to 22 metres. Reducing this would not address the issues fully.*

The solicitor states that the parking is not 'indiscriminate' as described and from our client's knowledge, it is in fact quite the opposite as their staff and customers park with full consideration and judgement, taking into account the neighbouring residents and flow of traffic.

*Ward Members have been pushing for this area to be treated for some time following several strong complaints from the public about the dangers caused by parking at this junction. Indiscriminate parking does take place and has been witnessed by engineers, ward members and members of the public. Customers of the local business and other road users park at the junction, including on the footway, causing problems for other road users.*

There are significant existing parking restrictions within the area on the High Steet, Lauren Close,

Springlees Court and if the proposals were to be implemented, residents, visitors and customers would have no option, causing further displacement, but to park on Hartshead Street, which is a major road and or John Booth Street thus causing further and more serious traffic issues and problems, which the proposed order is trying to alleviate.

*it is very unlikely that motorists would choose to park on Hartshead Street due to the risks involved. The Police would likely intervene in this situation.*

Have proposals considered a no left/right turn sign at the foot of Woodend Street that could assist in resolving the issue?

*A traffic order prohibiting right and left turn manoeuvres would not address all the issues reported.*

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 and a disabled persons parking place at Woodend Street and Springlees 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 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 <b>legal</b> implications?</i>	These were dealt with in the previous report (refer to Appendix A)
What are the <b>procurement</b> implications?	None
<i>What are the <b>Human Resources</b> implications?</i>	None
<b>Oldham Impact Assessment Completed (Including impact on Children and Young People)</b>	No
<i>What are the <b>property</b> implications</i>	None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosaly Smith)
<b>Risks:</b>	That vehicular access to the assisted living facilities at Springlees Court and Dunsford Court will be affected, and that the highway safety issues identified will not be addressed, if the restrictions are not introduced.
<b>Co-operative implications</b>	These were dealt with in the previous report (refer to Appendix A)
<b>Community cohesion disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998</b>	None.
<b>Environmental and Health &amp; Safety Implications</b>	If approved, the restrictions will improve safety and access along the highway for all road users.
<b>IT Implications</b>	None.

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Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?	Yes
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Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?	Yes
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Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No
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**There are no background papers for this report**

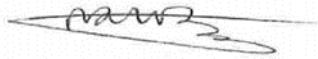
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<b>Report Author Sign-off:</b>	
Andy Cowell	
<b>Date:</b> 5 December 2023	

Please list and attach any appendices:-

<b>Appendix number or letter</b>	<b>Description</b>
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:** 5 July 2023

**Subject:** Proposed Prohibition of Waiting and Disabled Persons Parking Place - Woodend Street and Springlees Court, Lees

**Report Author:** Andy Cowell, Traffic Engineer

**Ward (s):** Saddleworth West and Lees

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**Reason for the decision:**

Woodend Street is located to the east of Lees village centre and provides access from Hartshead Street to a number of residential streets including the cul-de-sac of Springlees Court. At its western end the road narrows where it meets Hartshead Street at an acute angle. Two property blocks situated on both sides of Springlees Court provide sheltered housing. There are no existing parking restrictions in place in this area.

The Highways Department of the Council have received reports, via a Ward Member, of indiscriminate parking at the western end of Woodend Street near to its junction with Hartshead Street. It is reported that vehicles parked in this location prevent the two-way flow of traffic into and out of Woodend Street. The situation is compounded by the geometry of the junction. The parking also adversely affects traffic on Hartshead Street as vehicles are forced to stop to wait until the junction is clear. Parking at the junction also hinders turning manoeuvres.



Officers have inspected the location with the Ward Member and support new restrictions to address the issues reported. The parking is primarily generated by a local hairdresser business and to address any issues of displacement it is proposed to extend the restrictions into Springlees Court to protect vehicular access to this site. The manager of the sheltered housing blocks has also requested that a disabled persons parking place be installed in the dedicated parking bay nearest to the entrance. The parking bays are often full to capacity and this would assist those elderly residents with blue badges.

It is proposed to promote new prohibition of waiting restrictions and a disabled persons parking place on Woodend Street and Springlees Court as detailed on plan 47/A4/1688/1.

If approved, the proposal will:

- improve traffic flow in and out of Woodend Street at the junction of Hartshead Street
- provide space for motorists turning right into Woodend Street from Hartshead Street
- improve vehicular access to Springlees Court
- improve access for disabled residents of Springlees Court

**Summary:**

The purpose of this report is to consider the introduction of prohibition of waiting restrictions and a disabled persons parking place on Woodend Street and Springlees Court, 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 A Marland has commented, I am absolutely supportive of these proposals due to the current difficulties that this area suffers and which the elderly residents currently endure at Springlees Court. These difficulties include the lack of visibility due to vehicles being parked on pavements and restricted access to junctions will be vastly improved by these enforcement measures. Several elderly residents use wheelchairs or motorised scooters and they find

it sometimes impossible to use the pavement due to vehicles blocking their route.

The correctly sized disabled parking bay will allow blue badge users to have wide access when leaving their vehicle and a guaranteed available parking bay.

I am looking forward to providing a positive update to all residents when all parties approve of this scheme.

Councillor S Al-Hamdani has commented, this junction has been extremely problematic over the last 12 months with parking causing severe obstructions at times. I am supportive of measures to ease the problems

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:

	<b>£</b>
Advertisement of Order	1,200
Introduction of Road Markings	500
<b>TOTAL</b>	<b>1,700</b>
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 relation to the proposed disabled persons' parking place, section 32 of the Road Traffic Regulation Act 1984 gives local authorities the power by order to authorise the use as a parking place of any part of a road within their area. It must appear to the Council that the parking place is necessary for the purpose of relieving or preventing congestion of traffic. Under section 35 of the Act, the Council may impose restrictions on the use of the parking places and in particular, the vehicles which may be permitted to use them.

In addition to the above, under section 122 of the Act, 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/A4/1688/1

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>Woodend Street, Lees</u> (North east side)  From its junction with Hartshead Street to its junction with John Booth Street	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Woodend Street, Lees</u> (South west side)  From its junction with Hartshead Street for a distance of 22 metres in a south easterly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>John Booth Street, Lees</u> (North west side)  From its junction with Woodend Street to its junction with Springlees Court	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Springlees Court, Lees</u> (South west side)  From its junction with John Booth Street for a distance of 25 metres in a general north westerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	

### Part II Schedule 4 Parking Places (Specified) Classes of Vehicle

Column 1 Item No	Column 2 Length of Road	Column 3 Class of Vehicle	Column 4 Days and hours of operation	Column 5 Maximum period of waiting	Column 5 No return within
	<u>Springlees Court, Lees</u> (East side)  At the southern end of the parking bay located approximately 50 metres north of its junction with John Booth Street	Disabled persons vehicle	24 hours daily	No limit	Not applicable

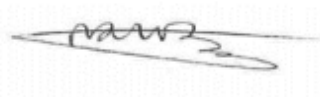
There are no background papers for this report

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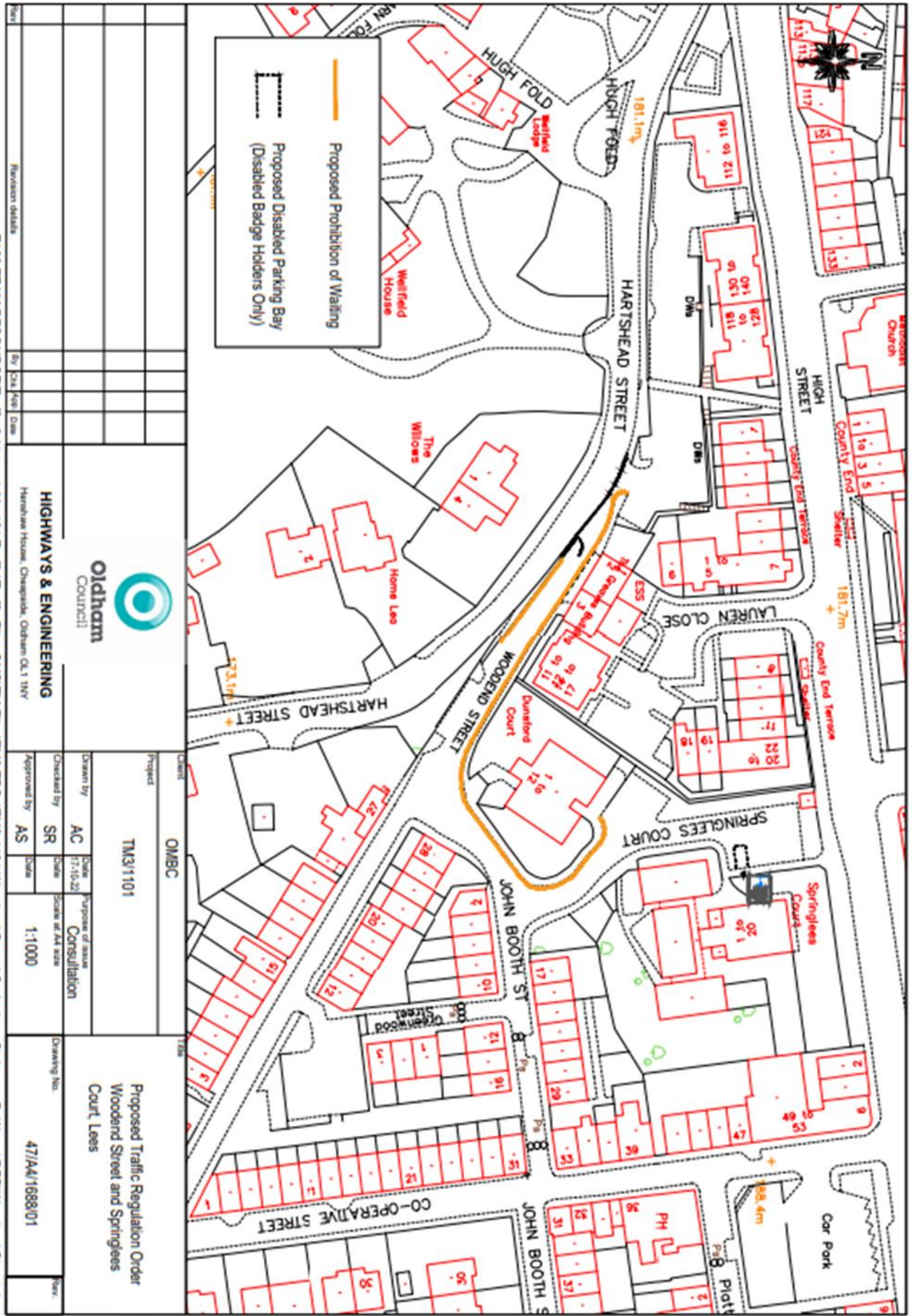
<b>Report Author Sign-off:</b>	
Andy Cowell	
<b>Date:</b> 5 July 2023	

In consultation with Director of Environment

Signed :



Date: 10 July 2023



Revision details	Drawn by	Checked by	Approved by	Drawing No.
	AC	SR	AS	47/A4/1688/01
	Date: 17/10/22	Date:	Date:	
	Purpose of issue: Consultation	Scale at A4 size:	1:1000	

  
**Oldham**  
 Council

**HIGHWAYS & ENGINEERING**  
 Hereward House, Chesapeake, Oldham OL1 1NY

Client: OMBC  
 Project: TM3/1101  
 Title: Proposed Traffic Regulation Order  
 Woodend Street and Springles Court Leas

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**APPENDIX B**  
**COPY OF REPRESENTATIONS**



## Letter of Support 1

Dear Sir/Madam:

Ref:LJM/TO23/27 VF22680


With reference to the above as a resident of Springlees Court it is essential to have yellow lines round the areas proposed we find it very difficult parking near our property as we have difficulty walking as do many of our residents do when cars are parked up on the pavements also parked on the bend on Hartshead Street blocking your view this is an accident waiting to happen.

Many thanks

XXXXX  
X, Springlees Court  
Springhead  
Oldham  
OL4 5TP

## Letter of Support 2

I am writing in support of the above proposed traffic regulation. In recent months the parking on Woodend Street has become particularly hazardous. My mother lives at Springlees Court and cars are quite often parked on either side of the road on the bend near Dunsford Court making access difficult and dangerous, an accident is waiting to happen. The new parking restrictions are ~~a~~ necessary to ensure the safety of residents who are all elderly and the general public.

Yours Sincerely  


### Letter of Support 3

Dear Sir / Madam,

I'm writing for the parking restrictions to go ahead, people are sick of the way they park on the pavements, even the Ambulances cannot get through, someone could be really ill.

My Address is  
Dunsford Court  
Springhead  
Oldham  
OL4 5TR

Thank you.  
REF N° LJM / TO 23 / 27 VF 22680

OLDHAM WOODEND ST, JOHN BOOTH ST,  
SPRINGHEADS COURT.  
YELLOW LINES AS GOOD AS POSSIBLE

THANK YOU.

### Objection 1

Good afternoon,

I live at number XX Woodend Street, and I object to the proposed restrictions. With these restrictions in place, and the number of customers that visit a local business on the street, it would make it nearly impossible for me to park anywhere near my house when that business is open.

Unless there are plans for residential parking permits for the people who reside on Woodend Street, I believe these plans will make our life a lot harder when it comes to parking anywhere near our homes and will create a lot of stress, and there should be more thought taken for the people who live on this street.

Kind regards,

## **Objection 2**

Dear Sirs

We confirm we are instructed on behalf of Ruger Barber who and have been provided a copy of your letter dated 30 August addressed to the Owner/Occupier.

Our client objects to the proposed Prohibition of Waiting.

Our client is an established long-standing business within the community and the proposals would have an adverse effect upon our client's business. They have on-going financial burdens, which have been exacerbated by the pandemic and furthermore the impact of the proposed order could result in loss of business which they simply cannot afford. Our clients will gladly work with the Highways department and the Council to find a reasonable and fair solution for all and of course do not want any local, elderly or otherwise residents to endure problems, however the proposal as it stands would have a severe and potentially devastating impact upon their business.

Our client would like to make the following representations:

1. Our client does not object to the proposed double yellow lines on the area shown cross hatched on the attached plan.
2. Our client seeks clarification to the proposed Disabled Parking Bay on Woodend Street, as this will be directly in front of the main entrance.
3. Our client does not object to the proposed Disabled Parking Bay located at Springlees Court.
4. The parking is not 'indiscriminate' as described and from our client's knowledge, it is in fact quite the opposite as their staff and customers park with full consideration and judgement, taking into account the neighbouring residents and flow of traffic. Our client can obtain a signed petition to support this from the local residents and businesses, and customers namely if required.
5. There are significant existing parking restrictions within the area on the High Steet, Lauren Close, Springlees Court and if the proposals were to be implemented, residents, visitors and customers would have no option, causing further displacement, but to park on Hartshead Street, which is a major road and or John Booth Street thus causing further and more serious traffic issues and problems, which the proposed order is trying to alleviate.
6. Have proposals considered a no left/right turn sign at the foot of Woodend Street that could assist in resolving the issue?

Please acknowledge receipt and provide us with details of the next steps in the process.

We look forward to hearing from you as soon as possible.

Kind regards

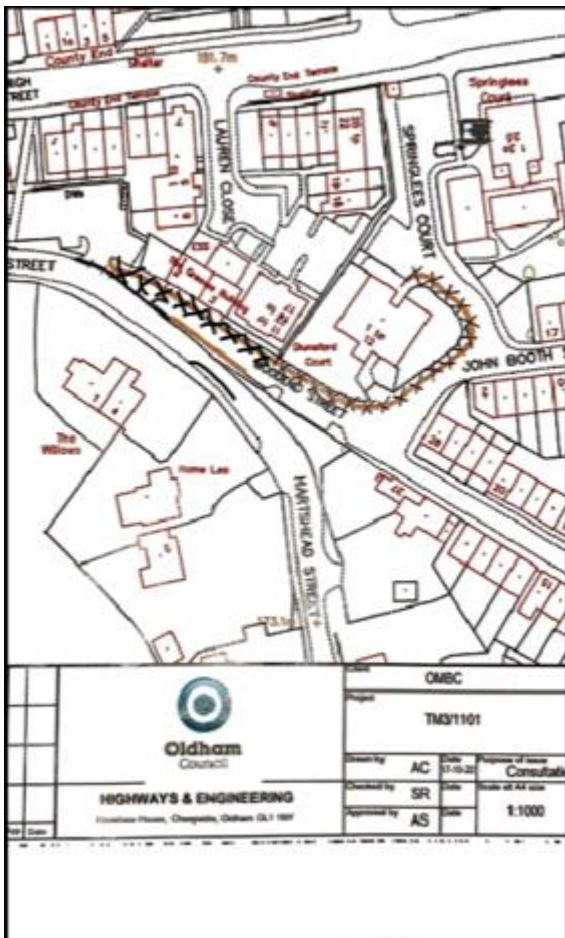
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Dear Andy

Thank you for your email.

We note that no disabled bay will be installed on Woodend Street, despite the statement in the Delegated Officer Report. Thank you for the clarification.

Further to the information below, after further consideration, we are instructed to advise that our client now does not object to the area cross hatched on the plan below, which will resolve the issues the scheme is looking to address.



Our client therefore formally objects to the remaining proposal, which is now just in relation to the double yellow lines on the opposite side of the cross hatched area. Our client hopes their due consideration and compromise to the overall proposal is taken into consideration by the Panel together with the impact the scheme will have on their business.

We understand our client's objection and representations will be provided, in context, in the Report prepared for the TRO Panel.

We look forward to hearing from you with a copy of the Report provided to the TRO Panel, date, and venue details as soon as possible.

Kind regards