

## TRO Panel

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

**Date of Decision:** 11 January 2024

**Subject:** Objection to Proposed No Stopping on Entrance Markings – The Lows, Oldham

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

**Ward (s):** St Mary's

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**Reason for the decision:**

A report recommending the introduction of a No Stopping on Entrance Markings restriction at The Lows, Oldham was approved under delegated powers on 10 July 2023. The proposal was subsequently advertised and one objection was received.

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

One objection was received from a resident of The Lows. A summary of the objector's comments and the Council's response (*in italic*) is detailed below.

The proposed restrictions will displace parking to the opposite side of the road outside the residents properties, therefore making it more difficult for residents to park and potentially causing issues with parents blocking their driveways.

*The resident has been invited to apply for an Access Protection Marking which will deter obstructive parking across their driveway. The restrictions are only operational during the daytime and working week, which lessens any impact on residents.*

Consideration should be given to other practices to provide a stronger deterrent to drivers, such as civil enforcement officers (which are operational in other parts of the borough but very rarely seen in the area) or installation of CCTV.

*The Councils Parking Attendants can only carry out enforcement where there are restrictions in place so this would not remove the need for the proposed restrictions. There are many schools in the Borough so each school cannot be enforced at the same time. CCTV is used in specialised vehicles but only for the enforcement of existing restrictions.*

There was no consultation carried out.

*As with all TROs, the Council followed The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 in advertising this proposal, which involved publishing a notice of intent in the local newspaper and posting copies on site. There is a list of statutory consultees such as GMP and TfGM. The Council do not generally consult with persons whom it believes may be affected by a proposal as there may be supporters of the scheme whom would not be afforded the same opportunity to make representations. Supporters of a scheme may be regular users of the highway and not necessarily local residents or businesses. The TRO advertising process is a form of consultation in itself, where any member of the public can make representations, not just those consulted directly.*

A residents parking scheme should be introduced if the restrictions are approved.

*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 resident parking schemes.*

The Council should introduce a School Street initiative instead and despite existing restrictions being in place outside the neighbouring school, illegal, dangerous and inconsiderate parking continues.

*Unfortunately, these types of problems are prevalent around most schools. The School Streets initiative is in its infancy. However, this would not remove the need for School Keep Clear markings as children could potentially be entering and leaving the school outside of the start and finish times when roads are temporarily closed. The best way to deal with any issues outside schools is to encourage parents to park away from the school and walk. Initiatives such as walking buses are successful in reducing congestion and improving road safety outside schools. Much of the onus is on schools and getting the message across to parents. The Council does encourage this through its liaison with schools. However, this does not remove the need for the school keep clear marking.*

The nursery building has been in the area for well over 30 years and I have been a resident near the school for over 20 years. Within this time no concerns have ever been raised about safety

*The restrictions were recommended following a Health and Safety inspection at the school. It is also best practice to install School Keep Clear markings outside all school entrances to help protect school children. The proposal is also supported by the Police. The marking also serves to highlight the school for passing motorists and is therefore not just a parking control measure.*

Officers have considered the objection but strongly believe that the proposed restriction is fully justified.

**Summary:**

The purpose of this report is to consider an objection received to the introduction of a No Stopping on Entrance Markings restriction at The Lows, 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 were received.

**Recommendation(s):** It is recommended that the objection 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 children entering and exiting the school.

**IT Implications** 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

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**

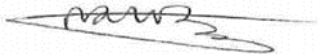
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<b>Report Author Sign-off:</b>	
Andy Cowell	
<b>Date:</b> 5 December 2023	

Please list and attach any appendices:-

<b>Appendix number or letter</b>	<b>Description</b>
A	Approved Mod Gov Report
B	Copy of Objection

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 No Stopping on Entrance Markings – The Lows, Oldham

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

**Ward (s):** St Mary's

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**Reason for the decision:**

The Lows is a residential cul-de-sac located east of Glodwick Road and forms an extension of Pitt Street East. The main building for Glodwick Infant and Nursery School is located on Pitt Street East with an additional nursery building located nearby on The Lows. The entrance to this additional building is currently not protected by a school entrance marking.

The school have made a request to the Council to introduce an entrance marking following a Health and Safety Audit report which recommended that school entrance markings should be introduced.

Officers have inspected the location and support the request for a school entrance marking outside the nursery school building.

It is therefore proposed to promote a new No Stopping on Entrance Markings restriction on The Lows, Oldham as detailed on plan 47/A4/1697/1.

If approved, the proposal the proposal will reduce the conflict between vehicles and pedestrians outside the school entrance and will increase visibility between motorists and pedestrians and vice versa, at a point where children may congregate and cross the road.

**Summary:**

The purpose of this report is to consider the introduction of a No Stopping on Entrance Markings restriction on The Lows, Oldham

**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
Introduction of signs & poles	800
<b>TOTAL</b>	<b>2,500</b>
Annual Maintenance Cost	100

The advertising & road marking expenditure of £2,500 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/A4/1697/1

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

**Introduce the following Order to prohibit Stopping on School Entrance Markings – Monday to Friday, 8am – 5pm**

Column 1	Column 2	Column 3	Column 4
Item No	Length of Road	Duration	Exemptions
	<p style="text-align: center;"><u>The Lows</u> <u>North Side</u></p> <p><u>From a point 10 metres east of a point opposite the easterly kerb-line of Barrett Street for a distance of 43.56 metres in an easterly direction</u></p>	Monday to Friday 8am – 5pm	B1, B3, B4, C & E

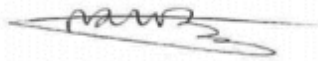
There are no background papers for this report

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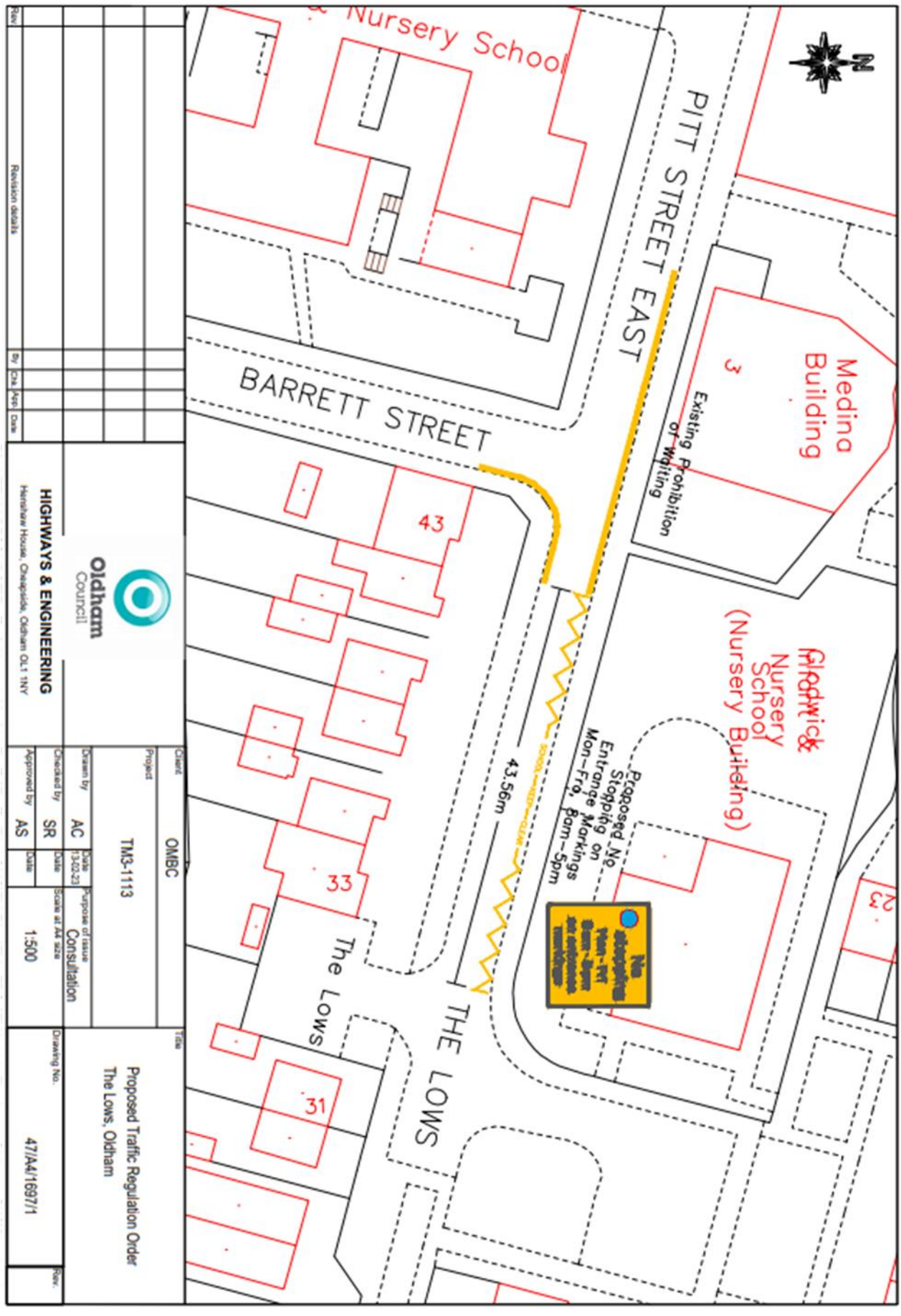
<b>Report Author Sign-off:</b>	
Andy Cowell	
<b>Date:</b> 5 July 2023	

In consultation with Director of Environment

Signed :



Date: 10.07.2023



Revision details	By	CAI Appr Date							
 <b>Oldham Council</b>			<b>HIGHWAYS &amp; ENGINEERING</b> Hurstway House, Chapelside, Oldham OL1 1NY			Client: <b>OMBC</b> Project: <b>TM3-1113</b>		Title: <b>Proposed Traffic Regulation Order The Lows, Oldham</b>	
Drawn by	AC	Scale	1:500	Purpose of issue	Consultation	Checked by	SR	Scale at A4 size	
Approved by	AS	Date	15/02/23	Scale at A4 size	1:500	Approved by	AS	Scale	
Drawing No. 47/A4/1697/1									

**APPENDIX B**  
**COPY OF OBJECTION**

Dear Sir/ Madam,

Re : proposal of road markings - The Lows

I am very disappointed to hear that no residents were consulted or provided with a notification about the planned proposals which only came to the attention of residents via the local ward councillors. Had they not notified us, no one would have known. Nonetheless, as a resident at 43 The Lows , while it is accepted that there is general support for safety around schools but I write to oppose the proposal for school road markings due to the following expressed concerns . In addition , I have made alternative suggestions which I hope you will give due consideration.

\* The nursery building has been in the area for well over 30 years and I have been a resident near the school for over 20 years. Within this time no concerns have ever been raised about safety. So, my question is why now and what has changed to recommend this proposal?

\* The surrounding areas of Glodwick school already have zig zag markings , double and single yellow lines ( apart from the nursery road ) where parking and stopping is prohibited. Despite this, illegal, dangerous and inconsiderate parking continues to exist and cause visibility issues when children are-dropped off and picked up. Many times myself and other residents have experienced drivers obstructing pavements , footpaths and driveways causing gridlock and problems with traffic flow on nearby streets - mainly from the junction of Barrett Street leading to the main of Glodwick Road . Some drivers are road monsters and argumentative when they are told about parking illegally and causing obstruction and don't care about residents, it creates problems and delays , in particular, for working residents in getting to /from work and their homes. Therefore , I cannot see the proposal will lead to a perception of a safer road and visibility for both parents and children .

\*Most importantly, there is a strong concern that the road markings will have a detrimental effect on parking situation for residents in which the nursery side road is regularly used as parking by residents , school staff, visitors /carers and family members of the residents . It is also used by residents in the vicinity of the school for extra parking because there is an overspill of nearby two small car parks. If the markings are implemented , the loss of kerbside parking is going to create further problems with resident parking . In particular, for working residents who rely on work vans/cars and are forced to park on this part of the road and near their homes. And , it will divert other drivers to park cars on the other side of road which will mean loss of parking space for those residents who already park their cars due to less or no parking space on their driveways. Unless , it can resolved by resident parking bays to be put in place for permit holders to deter parking or anything else which may help the residents.

\* Before the road markings are sought approval , it is strongly suggested that consideration is given to other practices that can be adopted such as civil enforcement officers (which are operational in other parts of the borough but very rarely seen in the area) or installation of CCTV which can be more effective and operational during school pick up and drop off times . Most importantly , it will provide a stronger deterrent to drivers who park illegally and avoid children lives at risk. Having said this, I find that the council is very unlikely to accept this recommendation due to cost implications, which is not a good practice over safety prevention measures.

\* There is also another suggestion that can be considered and without cost implications  
- I understand that Oldham council have introduced a School Street initiative and secured funding( with exemptions ) which can improve safety , reduce congestion , eliminate dangerous parking and encourage families to walk from park and stride locations . A few schools are running this scheme and it is proving to be a success . So, why does the council not encourage this practice or why does the school not show an interest as it benefits and creates a more pleasant environment for all?

Yours faithfully