Reason for Decision
The purpose of this report is to consider 2 objections that have been received to the traffic management proposals for Royton Leisure Centre.

Recommendation
It is recommended that notwithstanding the objections received, the traffic management proposals for the streets surrounding the Royton Leisure Centre be introduced without amendment, in accordance with the schedules at the end of this report.
Objections To Traffic Management Measures for Royton Leisure Centre

1 Background

1.1 A report recommending the introduction of various Traffic Regulation Orders for streets surrounding the new Royton Leisure Centre was approved under delegated powers on 1 June 2015. A copy of the report is attached at Appendix A.

1.2 The proposal was subsequently advertised and 2 letters of objection have been received. The objections have been submitted by Mr P Jelen and Ms Jennifer Norwood of 66 Rochdale Road and Mrs E Brookes of 60 Radcliffe Street, Royton. Copies of their objection letters are attached at Appendix B.

2 Current Position

2.1 Before the traffic management measures were proposed for introduction, discussions took place with the Royton South Ward Members to determine the type of restrictions to be introduced. A consultation then took place with residents affected by the proposal to seek their views on whether they would support the scheme. The initial scheme aimed to remove obstructive parking to aid traffic circulation, to facilitate a bus stop parking area for a new lay by which is to be constructed along Cardigan Street and residents parking bays along part of Radcliffe Street and Park Street.

2.2 The results of the consultation exercise revealed that there was little support from residents of Radcliffe Street for residents only parking, consequently the scheme was amended to remove the residents parking from Radcliffe Street, but retain the residents parking for residents along Park Street and also the residents of Rochdale Road who rely on the use of Park Street to park.

3 Objections

3.1 The details of the objections received are summarised below:-

Objection of Mrs E Brookes

Mrs Brooks’s property is located at the junction of Radcliffe Street and Cardigan Street. Radcliffe Street is currently unrestricted, but Cardigan Street is subject to double yellow lines along the frontage of Mrs Brooks’s property where her garage and driveway are located.

The approved scheme seeks to introduce a 10 metre length of double yellow lines along the Radcliffe Street frontage of Mrs Brooks’s property to ensure there is visibility for motorists who are egressing from Cardigan Street into Radcliffe Street. Mrs Brooks is objecting to this as she states it will make it difficult to park and will de-value her property.
It is also intended, as part of the leisure centre development, to construct a lay-by on Cardigan Street for a waiting area for coaches / buses. Mrs Brooks claims the location of the bus lay by will make it difficult for her to access her driveway / garage.

**Objection of Mr Jelen and Ms Norwood**

Mr Jelen and Ms Norwood have submitted a lengthy objection, the majority of which relates to the planning process for the approval of the leisure centre development itself.

The comments they have raised which relate to the traffic management proposals will be considered within this report. The planning issues raised have been referred to the Council's Planning Team for a response which has been sent directly to them.

Mr Jelen and Ms Norwood have raised 7 main points of objection to the traffic management proposals which are listed below:-

1. Why is parking being restricted at the North West junction of Cardigan Street with Radcliffe Street.

2. Why is parking for coaches being provided on the Public Highway? This should have been provided within the curtilage of the new centre.

3. Why are the current residents’ bays on Cardigan Street being removed?

4. Why are additional restrictions being applied to either side of Radcliffe Street?

5. Why is parking to the North West end of Park Street being restricted?

6. Why is parking on both sides of Byron Street being curtailed?

7. Due to the increased need for parking in the area, the restrictions will result in a lack of on-street parking in the area.

Mr Jelen and Ms Norwood continue to comment that the traffic management proposals are to facilitate the new centre in the absence of proper parking provision. They state that under the Road Traffic Regulation Act 1984, Section 1(1)(f) permits an order ‘for preserving or improving the amenities of the area through which the road runs’. As the leisure centre has not yet been completed there is nothing yet to preserve or improve and the correct manner to deal with parking provision and amendment is at planning stage and not post planning approvals.
Mr Jelen and Ms Norwood have also expressed serious concern regarding the consultation process as they have only received one consultation letter, but have not been invited to meetings that have been held to discuss the proposals and would like a response from the Council as to why he had not received an invitation to the meetings.

In summary, Mr Jelen feels that the proposals relating to the development have taken no account of amenity for local residents, businesses and business users.

**Consideration of the Objections**

**Objection submitted by Mrs Brooks**

The double yellow lines being proposed for introduction along Radcliffe Street, outside Mrs Brooks’s property are the minimum required to ensure a certain level of visibility can be maintained for motorists who are egressing from Cardigan Street into Radcliffe Street. It is expected that traffic manoeuvres will increase at this junction when the leisure centre opens and a safer environment needs to be created for vehicle manoeuvres.

Mrs Brooks already has a garage and driveway within her property curtilage, consequently the reason for her needing the space at the front of her house for parking also is not understood. As motorists (including residents) do not have the right to park within the highway, the introduction of yellow lines will not de-value her property, particularly with the off street parking provision already allocated to her property.

The creation of the lay by for the coach parking area will result in the same width of carriageway being available for Mrs Brooks to drive to and from her driveway and garage. The facility will not make these manoeuvres difficult; in fact they should be easier, as currently permit holders are allowed to park within the carriageway opposite to Mrs Brooks’s driveway entrance, which does narrow the available carriageway for manoeuvring a vehicle.

**Objection submitted by Mr Jelen**

The objections raised by Mr Jelen and Ms Norwood are considered below separately:

1. The restrictions proposed at the north west junction of Cardigan Street and Radcliffe Street are to ensure that coaches and other larger vehicles have unobstructed egress from Cardigan Street.
2. It is not considered necessary to provide a coach parking facility within the curtilage of the sports centre site if it can be demonstrated that an on-street facility would not be detrimental to highway safety. As the facility will sit within a lay by the adjacent traffic lanes will not be obstructed and pedestrians still have a footway facility. All developments are considered on their merits and not all applications are appropriate for highway located facilities, including public buildings. This is not however the case with Royton Leisure Centre.

3. The permit bays along Cardigan Street are business permit parking places, not residents parking bays, as suggested by Mr Jelen and Ms Norwood. The business parking bays were originally introduced for the businesses that previously occupied the leisure centre site. The number of businesses in this area has dramatically reduced, consequently, it is felt the number of business parking spaces can be reduced.

The removal of some of the business permit bays has also been necessary to facilitate the relocation of one of the exiting businesses.

4. Restrictions are being applied to both sides of Radcliffe Street as a swept path analysis has been undertaken for coaches and delivery size vehicles egressing from Cardigan Street into Radcliffe Street. The analysis requires that the lengths of restrictions proposed for Radcliffe Street are required to facilitate this manoeuvre and also to maintain unobstructed access for vehicles entering Radcliffe Street from Rochdale Road.

5. Park Street and Byron Street are already subject to one way working, but access needs to be maintained for deliveries to the shops fronting Rochdale Road, who use the loading area within Market Place; and for some deliveries to the leisure centre.

6. Parking alongside both sides of Byron Street is not being curtailed. A loading bay is being proposed for the south east side of the street together with a short length of unrestricted parking. Parking and loading is however being prohibited on the north western side of the street to ensure that through traffic flows are not obstructed and that pedestrians are not crossing the road through parked vehicles at the designated crossing point or when walking between the car park and the leisure centre building.

Parking and loading currently takes place on both sides of the road which can be problematic for larger vehicles. Byron Street will also see greater pedestrian activity when the leisure centre opens and it is felt their presence should be obvious to moving traffic.
7. The entrance to the new car park is located in this area and it is intended for this to be a short stay facility (a maximum stay of 3 hours). This will result in regular traffic movements throughout the day and the motorist using the car park will require adequate visibility when leaving the car park grounds.

The Traffic Regulation Orders are not being considered under Section 1(1)(f) of the Road Traffic Regulation Act 1984, as suggested by Mr Jelen and Ms Norwood, but are being considered under Section 1 (a) and (c).

Section (1)(a) is for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, and Section (1) (c) is for facilitating the passage on the road or any other road of any class of traffic (including pedestrians).

For information Section (1)( f ) is for preserving or improving the amenities of the area through which the road runs. An example of improving the amenities in area would be unacceptable traffic volumes through a conservation or tourist area.

If the leisure centre had been a private development the traffic orders would have considered under Section 1(a) and (c) and would have been subject to the same consultation process.

The parking proposals have been the subject of a public consultation, the documents for which were hand delivered to all affected properties, including Mr Jelen’s and Ms Norwood’s property. The results of the consultation required that amendments be made to the scheme to take into account the comments received.

It is understood that Ward Members invited some residents to meetings to discuss the scheme, but Officers were not involved with this process and cannot, therefore, comment further.

A document detailing the amended scheme was sent to all the properties originally consulted and a copy of the legal notice advising how objections can be made was also hand delivered to the same properties.

The proposals being recommended for introduction are intended to facilitate the operational practices of the leisure centre, safe traffic and pedestrian movements and at the same time ensuring that residents / businesses in the immediate vicinity are able to park near their homes / business premises. Mr Jelen and Ms Norwood will be eligible to apply for a residents parking permit to park within Park Street, they will not be expected to seek alternative parking within nearby unrestricted streets or district centre car parks.
3  **Options/Alternatives**

3.1 Option 1: To approve the implementation of the scheme, without amendment.

3.2 Option 2: Not to approve the scheme.

4  **Preferred Option**

4.1 The preferred option to approve is Option 1.

5  **Comments Of Royton South Ward Councillors**

5.1 Ward Councillors have been consulted and all agree with the following statement :-

'Ward Councillors have worked with highways and talked to residents to try and get a scheme that works best for all highways users and we support the officers recommendations at this point. Although we feel the double yellows extending onto Radcliffe Street need not be as long as proposed'.

6  **Consideration of Ward Councillors Comments**

6.1 Whilst the concerns raised regarding the length of the proposed restrictions are understood, there is a concern that traffic flows will increase at the junction of Cardigan Street and Radcliffe Street when the leisure centre opens and motorists will need visibility of approaching traffic. The Highway Code also states that vehicles should not stop or park opposite or within 10 metres of a junction.

7  **Financial Implications**

7.1 These are discussed in the delegated report.

8  **Legal Services Comments**

8.1 These are discussed in the delegated report.

9  **Co-operative Agenda**

9.1 In respect of the traffic management measures relating Royton Leisure Centre there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

10  **Human Resources Comments**

10.1 None.

11  **Risk Assessments**

11.1 None.
12 IT Implications
12.1 None.

13 Property Implications
13.1 None.

14 Procurement Implications
14.1 None.

15 Environmental and Health & Safety Implications
15.1 These are discussed in the delegated report.

16 Equality, community cohesion and crime implications
16.1 These are discussed in the delegated report.

17 Equality Impact Assessment Completed?
17.1 No.

18 Key Decision
18.1 No.

19 Key Decision Reference
19.1 Not applicable.

20 Background Papers
20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref : TM3/866
Name of File : Royton Leisure Centre
Officer Name : Mr G Anderson
Contact No : 0161 770 5243

21 Appendices
21.1 Appendix A – Delegated Report
Appendix B – Copies of Objections
Proposal

22.1 It is proposed that notwithstanding the objections received, the traffic management scheme, associated with the Royton Leisure Centre be introduced without amendment, in accordance with the following schedules.

Schedule
Drawing Number 1059366-1200-U-1201

Add to / Delete from the Oldham Borough Council (Royton area) Consolidation Order 2003, Amendment No 26 Order 2012

Delete from Part 1 Schedule 1

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item No</td>
<td>Length of Road</td>
<td>Duration</td>
<td>Exemptions</td>
<td>No Loading</td>
</tr>
<tr>
<td>Cardigan Street South West Side</td>
<td>From its junction with Radcliffe Street for a distance of 5 metres in a south easterly direction</td>
<td>At Any Time</td>
<td>A, B1, B3, B4, C, E, K3</td>
<td></td>
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Delete from Part II Schedule 4

<table>
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<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
<th>Column 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item No</td>
<td>Part of Length of Road</td>
<td>Class of Vehicle</td>
<td>Days and Hours of Operation</td>
<td>Maximum Period of Waiting</td>
<td>No Return Within</td>
</tr>
<tr>
<td>Cardigan Street (SouthWest Side)</td>
<td>From a point 5 metres south east of Radcliffe Street to a point 21 metres south east of Radcliffe Street</td>
<td>Permit Holders Vehicles</td>
<td>8 am – 6pm Monday - Friday</td>
<td>No Limit</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
Add to the Oldham Borough Council (Royton area) Consolidation Order 2003

Add to Part 1 Schedule 1

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Length of Road</td>
<td>Duration</td>
<td>Exemptions</td>
<td>No Loading</td>
</tr>
<tr>
<td>Radcliffe Street</td>
<td>North West Side</td>
<td>8am - 6pm</td>
<td>8am – 6pm</td>
<td></td>
</tr>
<tr>
<td>From a point 75 metres north east of Rochdale Road for a distance of 55 metres in a north easterly direction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Radcliffe Street</td>
<td>South East Side</td>
<td>At Any Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>From a point 15 metres south west of its junction with Cardigan Street to a point 10 metres north east of its junction with Radcliffe Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Byron Street</td>
<td>North West Side</td>
<td>At Any Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>From a point 10 metres north east of Park Street to a point 10 metres south west of Cardigan Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Byron Street</td>
<td>South East Side</td>
<td>At Any Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>From a point 20 metres north east of Market Place for a distance of 11 metres in a northerly direction.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cardigan Street</td>
<td>South West Side</td>
<td>At Any Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>From a point 15 metres south east of Byron Street for a distance of 21 metres in south easterly direction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park Street</td>
<td>South West Side</td>
<td>At Any Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>From its junction with Radcliffe Street for a distance of 10 metres in a south easterly direction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Proposed Residents Parking

Add to Part II Schedule 3a

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<th>Col 1</th>
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</thead>
<tbody>
<tr>
<td>Item No.</td>
<td>Length of Road</td>
<td>Permit Area</td>
</tr>
<tr>
<td>Park Street</td>
<td>South West Side</td>
<td>From a point 10 metres south east of Radcliffe Street to a point 10 metres north west of Byron Street</td>
</tr>
<tr>
<td>Park Street</td>
<td>North East Side</td>
<td>From a point 10 metres south east of Radcliffe Street to a point 10 metres north west of Byron Street</td>
</tr>
</tbody>
</table>

Proposed Bus Parking Place

Add to Part II Schedule 4

<table>
<thead>
<tr>
<th>Col 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
<th>Column 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item No.</td>
<td>Part Length of Road</td>
<td>Class of Vehicle</td>
<td>Days and Hours of Operation</td>
<td>Maximum Period of Waiting</td>
<td>No Return Within</td>
</tr>
<tr>
<td>(R50)</td>
<td>Cardigan Street (South West Side)</td>
<td>Buses and Coaches</td>
<td>24 Hours Daily</td>
<td>No limit</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>From its junction with Radcliffe Street for a distance of 32 metres in a south easterly direction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Proposed Loading Bay

Add to Part IV Schedule 9

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<tr>
<th>Column 1</th>
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<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parts of road authorised to be used as Designated Loading Bay</td>
<td>Class of Vehicle</td>
<td>Days of operation of the Designated Loading Bay</td>
<td>Hours of operation of Designated Loading Bay</td>
<td>Exemptions</td>
</tr>
<tr>
<td>Byron Street South East Side</td>
<td>Any vehicle that is loading and unloading</td>
<td>All days</td>
<td>24 hours</td>
<td>None</td>
</tr>
<tr>
<td>From a point 34 metres south west of Cardigan Street for a distance of 12 metres in a south westerly direction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX A

COPY OF DELEGATED REPORT
Delegated Decision

Proposed Traffic Management Measures connected with Royton Leisure Centre

Report of: Executive Director, Co-operatives and Neighbourhoods

Officer contact: Sarah Robinson
Ext. 4377

14 May 2015

Reason for Decision
The purpose of this report is to consider the introduction of new Traffic Regulation Orders within the streets which surround the new Royton Leisure Centre.

Recommendation
It is recommended that prohibitive waiting restrictions be introduced on parts of Radcliffe Street and Cardigan Street, a bus parking place order on Cardigan Street, residents only parking along Park Street and prohibitive waiting and loading and a loading bay restriction along part of Byron Street and in accordance with the schedules at the end of this report.
Proposed Traffic Management Measures Connected with Royton Leisure Centre

1 Background

1.1 Planning conditions relating to the development of the new Royton Leisure Centre require the introduction of a parking bay for coaches on Cardigan Street.

1.2 The proposed coach lay-by will be positioned at the northerly end of Cardigan Street, near to its junction with Radcliffe Street, on the westerly side of the street. To ensure this area is not utilised as a general parking area, a bus parking place order is to be introduced.

1.3 It is also necessary to introduce measures which control parking on other streets in the vicinity of the leisure centre building, these measures are detailed below:-

- The introduction of prohibitive waiting and restrictive waiting along part of Radcliffe Street to improve visibility for motorists entering Radcliffe Street from Cardigan Street and to assist bus / coach manoeuvres when drivers enter Radcliffe Street from the bus parking area.
- The introduction of prohibitive waiting and loading along Byron Street, outside the leisure centre frontage, to ensure the route does not become obstructed by parked vehicles, together with the creation of a loading bay for deliveries required at the front entrance to the leisure centre building.
- The introduction of prohibitive waiting along part of Cardigan Street to protect the new car park entrance.

1.4 A consultation has also been undertaken with local residents to see if they would support the introduction of residents only parking along Park Street and Radcliffe Street, due to the additional parking the leisure centre facilities could generate. The results of the consultation have revealed that Park Street residents would welcome resident only parking being introduced outside their homes, but there is not the support for residents parking outside the properties on Radcliffe Street. In view of this, residents only parking will be recommended for introduction on both sides of Park Street, 24 hours daily.

1.5 Minor highway improvements to the surrounding streets are also proposed and include the introduction of a build out on Byron Street opposite the entrance to the Leisure Centre. Amendments to the access to the proposed car park on the site of the current Leisure Centre which is due to be demolished upon completion of the new development are also proposed. Improvements will be made to the pedestrian crossings at the junction of Cardigan Street and Radcliffe Street to tie into the new coach layby on Cardigan Street.
Options/Alternatives

2.1 Option 1: The measures listed above address the planning and operational requirements for the Royton Leisure Centre development as well as addressing the outcome of the consultation exercise.

2.2 Option 2: Alternative options were developed for a scheme without residents parking and for different locations for the loading bays. Loading facilities in different locations than detailed in Option 1 would result in increased distances to service the Leisure Centre plant room. This could hinder the safe passage of pedestrians on the footways in the area.

An option to provide a raised table on Byron Street opposite the entrance to the Leisure Centre was considered but replaced with a build out, which improved accessibility for pedestrians but removed the need for additional illuminated signage.

Preferred Option

3.1 The preferred option to approve is Option 1.

Justification

4.1 The introduction of the Traffic Regulation Orders discussed in the background to this report are necessary to ensure that access can be maintained to the facilities connected with the operation of the leisure centre and to the residential properties that exist in close proximity to the centre. The orders proposed are shown on drawing number 1059366-1200-U-1201 and are described in the schedules at the end of this report.

Consultations

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

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

5.3 G.M. Fire Service View - The County Fire Officer has been consulted and has no objection to this proposal.

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

Comments Of Royton South Ward Councillors

6.1 The Ward Councillors have been consulted and no comments were received.
7 Financial Implications

7.1 The cost of introducing the Traffic Regulation Order is detailed below:

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertisement of Order</td>
<td>1,000</td>
</tr>
<tr>
<td>Introduction of Road markings and signs</td>
<td>6,000</td>
</tr>
<tr>
<td>Residents Parking Permit Allocation</td>
<td>500</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>7,500</strong></td>
</tr>
<tr>
<td>Annual Maintenance Costs (calculated March 2015)</td>
<td>800</td>
</tr>
</tbody>
</table>

All TRO costs will be met from the capital scheme code - C60010 M0274 CNOW38 with any ongoing revenue costs being funded from the Highways Operations Unity Budget 40916.

7.2 A summary of the highway improvement costs are shown below:

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Works</td>
<td></td>
</tr>
<tr>
<td>Civil Works (exc TRO works)</td>
<td>41,500</td>
</tr>
<tr>
<td>TRO works (not inc maintenance)</td>
<td>7,500</td>
</tr>
<tr>
<td>Design Fees</td>
<td></td>
</tr>
<tr>
<td>Unity Fee</td>
<td>12,900</td>
</tr>
<tr>
<td>Temporary Road Closure</td>
<td>780</td>
</tr>
<tr>
<td>Contingency @ 10%</td>
<td>6,270</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>68,950</strong></td>
</tr>
</tbody>
</table>

All project costs will be met from the capital scheme code - C60010 M0274 CNOW38.

Capital Comments

There is sufficient capital budget available within the 2015/16 capital programme to fund the expenditure of £76,450 (this is a combination of £7,500 and £66,950 identified above). This funding will be provided from cost centre M0274 as agreed with the budget manager. (K Williams)

Revenue Comments

The proposal has an annual revenue implication of £800 in respect of the Traffic Regulation Order. This will be a cost against the Highways Operations Unity budget. (cost centre 40916)

If there are pressures in this area as the financial years progress, then the Directorate will have to manage its resources to ensure that there is no adverse overall variance at year end. (Mike Ward)
8 Legal Services' Comments

8.1 The Council must be satisfied that it is expedient to make the Traffic Regulation Orders in order to avoid danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or for preventing damage to the road or to any building on or near the road, or for facilitating the passage on the road or any other road of any class of traffic, including pedestrians, or for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property or for preserving or improving the amenities of the area through which the road runs.

8.2 Section 32 of the Road Traffic Regulation Act 1984 gives the local authority power to provide off street or on street parking places, for the purpose of relieving or preventing congestion of traffic. In relation to the residents' only parking proposal, section 45 of the Act allows the Council to make an order designating parking places on highways for vehicles of any class specified in the order and the Council may make charges for vehicles left in a parking place so designated. Under section 45(2) the order may designate a parking place for use only by such persons specified in the order. The Council may operate the scheme by way of permits issued to residents and may charge for the issue or use of a permit.

8.3 In determining what parking places are to be designated under section 45, the Council must consider both the interests of traffic and of owners and occupiers of adjoining properties. In particular the Council must have regard to:
   a) the need for maintaining the free movement of traffic
   b) the need for maintaining reasonable access to premises; and
   c) the extent to which off street parking accommodation is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under section 45.

8.4 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)
Cooperative Agenda

In respect of the Traffic Regulation Orders associated with the Royton Leisure Centre there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

Human Resources Comments

None.

Risk Assessments

None.

IT Implications

None.

Property Implications

None

Procurement Implications

None.

Environmental And Health & Safety Implications

Energy – Nil.

Transport – Nil.

Pollution – Nil.

Consumption and Use of Resources – In accordance with current specifications.

Built Environment – minor alteration to visual appearance of area.

Natural Environment – Nil.

Health and Safety – the introduction of the measures proposed will create a safer environment for all highway users.

Equality, Community Cohesion and Crime Implications

Nil.
17 Equality Impact Assessment Completed?
17.1 No.

18 Key Decision
18.1 No.

19 Key Decision Reference
19.1 Not applicable.

20 Background Papers

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: TM3/866
Officer Name: Mr G Anderson
Contact No: 0161 770 4341

21 Proposal

21.1 It is proposed that traffic management be introduced on streets surrounding the new Royton Leisure centre, in accordance with the following schedules.

Schedule
Drawing Number 1059366-1200-U-1201

Add to / Delete from the Oldham Borough Council (Royton area) Consolidation Order 2003, Amendment No 26 Order 2012

Delete from Part 1 Schedule 1

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item No</td>
<td>Length of Road</td>
<td>Duration</td>
<td>Exemptions</td>
<td>No Loading</td>
</tr>
<tr>
<td>----------</td>
<td>----------------</td>
<td>----------</td>
<td>------------</td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>Cardigan Street (South West Side)</td>
<td>At Any Time</td>
<td>A, B1, B3, B4, C, E, K3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>From its junction with Radcliffe Street for a distance of 5 metres in a south easterly direction</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Page 7 of 11
Delete from Part II Schedule 4

<table>
<thead>
<tr>
<th>Item No</th>
<th>Part of Length of Road</th>
<th>Class of Vehicles</th>
<th>Days and Hours of Operation</th>
<th>Maximum Period of Waiting</th>
<th>No Return Within</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cardigan Street (South West Side)</td>
<td>Permit Holders</td>
<td>8 am – 6pm Monday - Friday</td>
<td>No Limit</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>From a point 5 metres south east of Radcliffe Street to a point 21 metres south east of Radcliffe Street</td>
<td>Vehicles</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Add to the Oldham Borough Council (Royton area) Consolidation Order 2003
Add to Part 1 Schedule 1

<table>
<thead>
<tr>
<th>Item No</th>
<th>Length of Road</th>
<th>Duration</th>
<th>Exemptions</th>
<th>No Loading</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Radcliffe Street (North West Side)</td>
<td>8am - 6pm</td>
<td>8am – 6pm</td>
<td></td>
</tr>
<tr>
<td></td>
<td>From a point 75 metres north east of Rochdale Road for a distance of 55 metres in a north easterly direction</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Radcliffe Street (South East Side)</td>
<td>At Any Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From a point 15 metres south west of its junction with Cardigan Street to a point 10 metres north east of its junction with Radcliffe Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Byron Street (North West Side)</td>
<td>At Any Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From a point 10 metres north east of Park Street to a point 10 metres south west of Cardigan Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Byron Street (South East Side)</td>
<td>At Any Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From a point 20 metres north east of Market Place for a distance of 11 metres in a northerly direction</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item No.</td>
<td>Length of Road</td>
<td>Permit Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------</td>
<td>-------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park Street (South West Side)</td>
<td>From a point 10 metres south east of Radcliffe Street to a point 10 metres north west of Byron Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park Street (North East Side)</td>
<td>From a point 18 metres south east of Radcliffe Street to a point 10 metres north west of Byron Street</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Proposed Bus Parking Place
Add to Part II Schedule 4

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Part Length of Road</th>
<th>Class of Vehicle</th>
<th>Days and Hours of Operation</th>
<th>Maximum Period of Waiting</th>
<th>No Return Within</th>
</tr>
</thead>
<tbody>
<tr>
<td>(P50)</td>
<td>Cardigan Street</td>
<td>Buses and Coaches</td>
<td>24 Hours Daily</td>
<td>No limit</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>(South West Side)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From its junction with Radcliffe Street for a distance of 32 metres in a south easterly direction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Proposed Loading Bay
Add to Part IV Schedule 9

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parts of road authorised to be used as Designated Loading Bay</td>
<td>Class of Vehicle</td>
<td>Days of operation of the Designated Loading Bay</td>
<td>Hours of operation of Designated Loading Bay</td>
<td>Exemptions</td>
</tr>
<tr>
<td>Byron Street</td>
<td>Any vehicle that is loading and unloading</td>
<td>All days</td>
<td>24 hours</td>
<td>None</td>
</tr>
<tr>
<td>(South East Side)</td>
<td>From a point 34 metres south west of Cardigan Street for a distance of 12 metres in a south westerly direction</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signed
Director Of Environmental Services

Dated
01.06.15

Page 10 of 11

g:\common\dec_rec2864 10.04.15
APPENDIX B

COPIES OF OBJECTIONS
Dear Sir,

Further to Traffic Regulation Act 1968.
Proposed Traffic Regulation Order.
The Royton Area Consolidation Order
Prohibition of waiting/ Loading residents
Parking amendment order 2015.
Royton Leisure Centre - Cordis Street Area

Ref: LJM 7015/23624

I am writing to object to the proposals. I live at Goredcliffe St Royton and wish to object to having no waiting at any time in front of the majority of my house. The distance is very large and will make it difficult for me to park and lower the value of my house. Also the bus parking place is in a position which makes it difficult for me to drive in and out of my garage at the side of my house.

Yours faithfully,

Elizabeth Brook
Dear Sir/ Madam,

**Proposed Traffic Management Measures – Royton Leisure Centre**

Ref: DE/ TM3/ 866

Please note that this document contains two distinct and separate objections denoted as Objections No 1 and No 2.

We write to object in the strongest possible terms to aspects of the proposed Order as detailed below.

**Preamble**

Paul Jelen began the process of preparing this objection on Thursday afternoon. First thing Friday morning he recommenced work and needed to clarify certain matters with your traffic Management section. This involved a very extended conversation with your officer Sarah Robinson.

Ms Robinson was unable to answer any questions on the legal framework surrounding the matter. Paul Jelen wished to know why these matters had not been dealt with under the planning application. All she could say was that the coach bay was a matter referred to under the planning application. She had no knowledge of the circumstances relating to the proposed public car park close to and associated with the new centre.

Paul Jelen expressed the view that she should be fully conversant with matters pertaining to the legal framework and previous history of this matter, and that the circumstances of the car parking provided by the new car park were highly relevant to road management issues – For example, that parking spaces on the highway were to be drastically reduced and these could not be directly replaced by the car park if, as the current car park on the other side of Rochdale Road, it is not 24 hours.

In the light of not being able to answer these questions she referred Paul Jelen to your Solicitors’ Department, in particular Alan Evans.
A further very lengthy 'phone call followed, during which Mr Evans was unable to find the application number and could not enlighten him on what had or not been agreed at the planning consent stage and what would have been necessary at that stage. Paul Jelen's principle point was that, on the surface, it appeared that matters of central importance to the operation of the proposed leisure centre had been left until, in effect, after its very construction.

It was agreed that the next step needed to be to discover what had been determined as part of the planning consent and, in order to do this, Paul Jelen should look at the planning application on your Council's website.

It was very difficult to use your website, as neither the description or map search would produce any result. After further telephone conversations with your Planning Department an application number was found and located online whilst speaking to your reception staff (the Planning Officer was out and there was no duty officer available).

Although it seemed that Paul Jelen had found the file, in fact only one of the many sub-files was accessible. This was the decision – there were, actually, two files under the heading "decision" and, as no distinction was made between the two, the assumption was that this was a mere duplication, but that matter is not satisfactorily explained, as yet.

Over the weekend files became available online and reading through the planning decision clarified matters as follows:

a) Under clause 13), the developer was to submit a scheme for parking and highway changes, to be approved in writing by the Authority. The scheme may not come into operation without its implementation.

b) Under clause 8), that off road car parking spaces become operative within six months of the commencement of operation of the centre.

c) Under clause 10), the submission of a scheme to provide a coach bay on Cardigan Street was required. The scheme may not come into operation without its implementation (a drawing for this is included in the architects' plans, although it is actually not on the site and is, therefore, not a separate submission, as it should have been).

**Objection No 1 - Planning Consent**

Under the planning consent, the development may not proceed without the approval under **planning**, rather than under highways management, of a suitable scheme to deal with any highway issues which may impact from the development.

It would appear, from the publicly available documents, that the scheme has never been submitted nor approved – and this view is evidenced by the fact that your Traffic Management Officer had no knowledge of any such scheme/document, as, clearly, she would have been consulted on receipt of that proposed scheme.
This means that the development may not be implemented until such time as the scheme for highway management has been approved under planning approvals – ie under public scrutiny rather than as a matter for in camera decision by the highways authority alone.

This is critical because the effect upon amenity of local residents and businesses, as regards parking and vehicle usage, has not been taken into account at all.

Given that the developer’s plans include a note referring to Byron Street as a “possible shared surface”, this is suggestive of “backdoor” development – that is the undertaking of material changes without full and proper public scrutiny under planning legislation.

This case is further supported by the complete and total absence of any reference to effects upon amenity to local residents in the Planning Officer’s report and it seems that more concern is directed towards bats (clause 7) and nesting birds (clause 6) than to the amenity of local residents. Indeed clause 8 concerns itself only with ensuring that parking is available to the development itself.

In our opinion, the matter of highways impact needs to go back for decision to the planning process.

It cannot be argued that this may not now be material to the case, as there are areas of the site – principally the site of the former Police Station and the area at the bottom eastern area bordered by Byron and Cardigan Street, which remain areas which might be used to resolve issues such as the siting of coach bays or parking to reduce the impact upon the ability of local residents to park their own vehicles in light of usage by leisure centre users - 99% of which visitors will be from outside the area occupied by local residents and business owners and users.

Objection No 2 - Detail of Proposals

We see no reason whatever for the following amendments to current parking arrangements, that is:

1) Why parking should be restricted at the north west junction of Cardigan Street with Radcliffe Street (We suspect that this may be to facilitate the parking of coaches opposite on Cardigan Street – whereas, it may be convenient for coaches to have wide access for parking, this is not a necessity and it would be normal for coach parking for a development to be contained within the curtilage of that development)

2) Why parking for coaches should be provided on the public highway – It is assumed that this is in order to provide the new Leisure Centre with some coach parking, when this should have been allocated to off street areas within the curtilage of the new centre. It is inappropriate for private development – the apparent “public” character of a publicly accessible leisure centre does not justify the use of public highway for this purpose. Indeed it seems to us outrageous that this should even be considered – Any private sector development would be expected to demonstrate how it intends to make
 provision for parking of vehicles using its facility, including coaches, under the requirement to consider infrastructure as part of the normal planning process.

3) Why the current resident only parking bays on Cardigan Street should be removed – There are very few resident only bays currently allocated and these only on Park Street,

4) Why additional parking restrictions should be applied to either side of Radcliffe Street.

5) Why parking to the north west end of Park Street should have parking restricted.

6) Whereas we accept that parking should be restricted at the junction of Park Street and Byron Street and to facilitate the movement of vehicles at this point (and this is existing in any event), we see no reason why existing parking either side of Byron Street should be curtailed

7) Although existing at the moment, why the large areas of corner restrictions at the eastern end of Cardigan Street should remain – surely, in view of the greatly increased need for parking which will arise, there is already a serious dearth of on street parking in the area?

It is clear to us that these parking amendments exist only to facilitate use of the new centre in the absence of the proper provision of parking within the curtilage of any private sector development, any inference of public use being inappropriate to justify major changes to the public highway.

Under the Road Traffic Regultaion Act 1984, Section 1 (1) (f) permits an order “for preserving or improving the amenities of the area through which the road runs”. As the leisure centre has not yet been completed a) there is nothing yet to “preserve or improve” and b) the correct manner to deal with parking provision and amendment is at the planning stage and not post planning approvals. The Local Authority must apply the same criteria for its own developments as for private sector development. It is clear that any private developer would have been required to fully provide necessary proposals as to how it intends to deal with parking provision and traffic management required for the development.

As we read it “the amenities through the road which the road runs must, of simple logical necessity, include the amenities as they apply to local resients and business owners and users.

The proposals take no account whatsoever of amenity as it effects those parties.

We must also express our serious concern regarding consultation on these matters. A conversation with other local residents on Friday revealed that they had been invited to “meetings” regarding these matters. We have been in receipt of only one consultation letter in respect of a proposed plan to introduce resident permits, to which we reponded extensively. We feel we must have a response from Oldham
Council as to why we have not received invitations to these “meetings” despite having the rear access to our property on Park Street.

When we spoke to your Council regarding the matter of parking permits, we made the point that a) there seemed to have been little thought given to how the parking for such as the new health centre be provided. In response, although your Officer stated that she was not happy having to give this response, this was that your Council considers the parking provision on the opposite side of Rochdale Road as appropriate for the provision of parking to areas of usage on the opposite, that is north east side of the town. We pointed out that this was not very practical, as it meant that people would have to consider crossing a very busy main road in order to park.

It is, therefore, most ironic that this policy is not to be implemented with regard to your Council's own development.

In summary, it seems that the proposals relating to this development from the outset have taken not even scant but rather no account of amenity for local residents, businesses and business users.

We submit two separate and distinct objections which are in summarising the full texts above:

1) On legal grounds that a traffic management order is not the appropriate manner of determining matters of planning consent - that your Council appear to have failed to implement its own planning requirement clauses at the planning application stage and that the development may not proceed until such time as these matters receive full and proper consideration under planning legislation, and that the proposed changes are designed merely to improve amenity for users of the proposed development and this is unlawful as regards the Act, which requires any changes to take full account of amenity in the area.

and

2) Detailed objections to the draconian nature of the proposed changes, which are designed merely to improve amenity for users of the proposed development and take no account whatsoever of amenity for the local residents, businesses and business users of the area.

Yours faithfully,

Paul Jelen BA(hons), MA, MA(Arch), crds

Jennifer Norwood BA(hons), PGCE