

STOCKPORT COUNCIL
EXECUTIVE REPORT – SUMMARY SHEET

Subject: THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT (HEATON MOOR ROAD, BROWNSVILLE ROAD, DERBY ROAD, ELMS ROAD & LYNTON ROAD, HEATON MOOR) (PROHIBITION OF WAITING) (REVOCATION) ORDER 2020

Report to: (a) Heatons & Reddish Area Committee

Date: Monday, 20 July 2020

Report of: (b) Joint report of the Corporate Director for Place Management & Regeneration and the Head of Legal, Democratic Governance and Estate & Asset Management

Key Decision: (c) **NO / YES** (Please circle)

Forward Plan General Exception Special Urgency (Tick box)

Summary:

To consider an objection received to a proposed Traffic Regulation Order.

Recommendation:

That the proposed Order be amended as shown in 3.2, below.

Relevant Scrutiny Committee (if decision called in): (d)

Communities & Housing Scrutiny Committee

Background Papers (if report for publication): (e)

There are none.

Contact person for accessing background papers and discussing the report

Officer: Vicki Bates
Tel: 0161 474 3219

'Urgent Business': (f) **YES / NO** (please circle)

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT (HEATON MOOR ROAD, BROWNSVILLE ROAD, DERBY ROAD, ELMS ROAD & LYNTON ROAD, HEATON MOOR) (PROHIBITION OF WAITING) (REVOCATION) ORDER 2020

Joint report of the Corporate Director for Place Management & Regeneration and the Head of Legal, Democratic Governance and Estate & Asset Management

1. INTRODUCTION AND PURPOSE OF REPORT

- 1.1 This report is to advise committee members of an objection received to a proposed introduction of Prohibition of Waiting restrictions on part of Lynton Road, Heaton Moor.
- 1.2 To ensure that objections to the permanent Traffic Regulation Order are appropriately and efficiently considered.

2. INFORMATION AND ADVICE

- 2.1. In considering the objection the Area Committee should be mindful that unless otherwise authorised, the only right the general public has over the highway is a right of passage along it. The Authority has both a duty of care to ensure the safety of the travelling public and a duty under the Traffic Management Act 2004 to secure and facilitate the expeditious movement of traffic.

3. OBJECTIONS AND COMMENTS

- 3.1. The specific objections and points contained within each letter have been analysed and detailed below together with the response.

(i) Objection 1 reason:

The objection is to a part of the proposals which concerns the Eastern corner of Lynton and Elms Roads.

The Council are intending to put double yellow lines stretching 10 metres from the corner in front of most of our house. This would make it impossible for us to park in front of our own home. When we received the initial proposal letter, last August, we didn't see any particular need for double yellow lines on our corner but we were not too worried about the line shown on the map supplied. This shows a line which looks far closer to 5 than 10 metres long. As we never park too close to the corner a 5 metre line would not have been an inconvenience. If it had shown a line as long as that now proposed we'd have been objecting last August.

We do not think there's a need for the lines as in the 40 years we've lived here we have not seen or heard of an accident, or even a near miss, on this T junction. When we first moved in no one parked near us for the station, the inundation of commuters driving to the area for the free parking is a comparatively recent nuisance. Cars park on the corners fairly frequently, though only during the week. We drive our car most days and have to put up with the cars on the corner but neither of us have found this dangerous, just a little awkward. The exceptions to this are when the bungalow

opposite, on Elms Rd was being demolished and fairly recently when near neighbours were having a lot of work done to their house. Large vans were constantly parked anywhere they felt like day after day for weeks on end and that was often quite dangerous. I assume that it would be these incidents which prompted the yellow line request.

My wife and I drive round this corner nearly every day so we are very familiar with it and the requirements in regard to visibility of oncoming traffic. A 5 metre line on both Lynton Rd and Elms Rd would be more than adequate. A ten metre line, in front of our house, would not only be excessive but would mean we'd be paying for other's lack of courtesy to other road users.

(ii) Response

The Service Director (Place Management & Regeneration) would comment as follows:

Under direction from the Ward Spokesperson, proposals were drafted for proposed No Waiting at Any Time restrictions at various locations in Heaton Moor including the junction at Elms Road with Lynton Road. Please see attached drawing number: **NM8-5088-001C**.

In response to the public consultation, a request was made from an occupant to reduce the extent of the double yellow lines fronting the property. The basis for the request was that on occasions it can be advantageous to park across the driveway. In considering the layout of the junction, Lynton Road could be considered the 'side road' off Elms Road; therefore by way of a compromise (to assist the occupant) the proposal was amended to that shown on attached drawing number: **NM8-5088-001E**.

The associated report was duly supported by the Area Committee and the Traffic Regulation Orders (TRO) were advertised by Legal Services. The advertising process has resulted in a formal objection from another occupant on Lynton Road. The basis for the objection is that the restrictions will remove available on-street parking adjacent to the property which will be very inconvenient.

It should be stated that nobody has an automatic right to park on the Highway outside their property and the Highway Code advises that nobody should park within 10 metres of a road junction. Nevertheless, in light of the previous amendment, the Service Director would be willing to reduce the extent of the double yellow lines on the north easterly side of Lynton Road so that the restrictions will be commensurate with those on the opposite side. Please see attached drawing number: **NM8-5088-001F**. Note: If a motorist(s) chooses to park within 10 metres of a junction they do so of their own volition and not with the endorsement of Stockport MBC as the local Highway Authority.

PROPOSED AMENDMENT TO THE ORDER

3.2 Council officers having considered objections received propose an amendment to the Order and proposes to amend the order as follows:

No Waiting at Any Time:

Lynton Road

Both sides from the North Westerly kerb line of Elms Road for a distance of 5 metres in a North Westerly direction.

4. FINANCIAL IMPLICATIONS

4.1. There are no financial implications arising from the recommendations in this report.

5. LEGAL IMPLICATIONS

5.1. The Council has a statutory duty to ensure that its highways operate safely for the safe passage of all traffic including pedestrians and powers to regulate and restrict traffic to assist in that duty.

6. REASONS FOR RECOMMENDATIONS

6.1. To comply with the Local Authorities' Traffic Orders, Regulations 1996 the Authority must consider all objections submitted during the consultation period of at least 21 days before 'Making' a Traffic Regulation Order.

6.2. The Committee should make a decision in respect of the objection received so that the scheme can be progressed and the Prohibition of Waiting restrictions introduced or abandoned.

7. ALTERNATIVES CONSIDERED

7.1. The alternative to the proposals laid out in this report is to continue with the current lack of restriction on the highway by not introducing the proposed traffic regulation orders.

8. RECOMMENDATIONS

8.1. It is recommended that:

8.2. the Area Committee note all Traffic Regulation Orders where objections have been considered by officers;

8.3. the Area Committee accept the proposed amendment/s to the Order as stated above and as shown on the attached plan OR the Traffic Regulation Order be made as originally advertised.

8.4. That the objectors are informed of the decision.

Background Papers

There are no background papers to this report.

Anyone wishing further information please contact Vicki Bates on telephone number Tel: 0161 474 3219 or by email on vicki.bates@stockport.gov.uk