

**STOCKPORT COUNCIL**  
**EXECUTIVE REPORT – SUMMARY SHEET**

**Subject: Dairyground Road, Bramhall & nearby junctions - Proposed 'No Waiting At Any Time' TRO - Objection Report**

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**Report to: (a)** Bramhall & Cheadle Hulme South Area Committee  
Thursday, 16 September 2021

**Date:**

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

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

Forward Plan  General Exception  Special Urgency  *(Tick box)*

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**Summary:**

To report the Objections made in relation to the proposed Traffic Regulation Order on Dairyground Road, Delfur Road, Seal Road, Fairhaven Close & Gleneagles Close, Bramhall.

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**Recommendation(s):**

The Traffic Regulation Order be made with the amendments below:

**Revoke Existing TRO:**

**'No Waiting Monday to Friday 8.30am to 9.30am and 3.00pm to 4.00pm'**

**Dairyground Road, Bramhall**

**North West Side:**

From the projected southern kerb line of Seal Road, for a distance of 10 meters in a southerly direction.

**Dairyground Road, Bramhall**

**South East Side:**

From the projected southern kerb line of Seal Road, for a distance of 14.3 meters in a southerly direction.

**Seal Road, Bramhall**

**South West Side:**

From the north western kerb line of Dairyground Road, for a distance of 23.3 meters in a north westerly direction.

**Seal Road, Bramhall**

**South West Side:**

From the south eastern kerb line of Dairyground Road, for a distance of 10 meters in a south easterly direction.

**Seal Road, Bramhall**

**South West Side:**

From the north westerly kerb line of Fairhaven Close, for a distance of 10 meters in a north westerly direction.

## **Proposed (TRO) 'No Waiting at Any Time'**

### **Delfur Road, Bramhall**

#### **Both Sides:**

From the projected south easterly kerb line of Dairyground Road, for a distance of 10 meters in a south easterly direction.

### **Dairyground Road, Bramhall**

#### **South East Side:**

From the north easterly kerb line of Delfur Road, for a distance of 10 meters in a north easterly direction.

### **Dairyground Road, Bramhall**

#### **South East Side:**

From the south western kerb line of Delfur Road, for a distance of 15 meters in a south westerly direction.

### **Dairyground Road, Bramhall**

#### **North West Side:**

From the projected southern kerb line of Seal Road, for a distance of 10 meters in a southerly direction.

### **Dairyground Road, Bramhall**

#### **South East Side:**

From the projected southern kerb line of Seal Road, for a distance of 14.3 meters in a southerly direction.

### **Seal Road, Bramhall**

#### **South West Side:**

From the north western kerb line of Dairyground Road, for a distance of 23.3 meters in a north westerly direction.

### **Seal Road, Bramhall**

#### **South West Side:**

From the south eastern kerb line of Dairyground Road, for a distance of 10 meters in a south easterly direction.

### **Fairhaven Close, Bramhall**

#### **Both Sides:**

From the projected south westerly kerb line of Seal Road, for a distance of 10 meters in a southerly direction.

### **Seal Road, Bramhall**

#### **South West Side:**

From the south easterly kerb line of Fairhaven Close, for a distance of 10 meters in a south easterly direction.

### **Seal Road, Bramhall**

#### **South West Side:**

From the north westerly kerb line of Fairhaven Close, for a distance of 10 meters in a north westerly direction.

**Gleneagles Close, Bramhall**

**Both Sides:**

From the projected south westerly kerb line of Seal Road, for a distance of 10 meters in a southerly direction.

**Seal Road, Bramhall**

**South West Side:**

From the south easterly kerb line of Gleneagles Close, for a distance of 10 meters in a south easterly direction.

**Seal Road, Bramhall**

**South Side:**

From the north westerly kerb line of Gleneagles Close, for a distance of 10 meters in a north westerly direction.

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

Communities & Housing Scrutiny Committee

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

Executive Report 'Dairyground Road/Delfur Road/Seal Road/Fairhaven Close/Gleneagles Close, Bramhall' dated Thursday 11<sup>th</sup> March 2021.

Drawing No. NM8-5103-01

Contact person for accessing  
background papers and discussing the report

**Officer:** Nicola Ryan  
Tel: 0161 474 4409

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

**Certification** (if applicable)

This report should be considered as 'urgent business' and the decision exempted from 'call-in' for the following reason(s):

The written consent of Councillor \_\_\_\_\_ and the Chief Executive/Monitoring Officer/Borough Treasurer for the decision to be treated as 'urgent business' was obtained on \_\_\_\_\_ /will be obtained before the decision is implemented.

## **Dairyground Road, Bramhall - Objection Report re Proposed Traffic Regulation Order**

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 objections received to a proposed introduction of 'No Waiting At Any Time' parking restrictions on Dairyground Road, Delfur Road, Seal Road, Fairhaven Close and Gleneagles Close, Bramhall, specifically, the Dairyground Road/Delfur Road junction element.
- 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 objections, 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:**

Objector wishes to object to the proposed restrictions on the junction of Dairyground Road & Delfur Road junction on the grounds that they have never noticed any problems caused by parking close to the junction. They have also stated that they are not aware of any accidents caused by parking of vehicles in the area covered by this element of the proposed Order.

Objector has noted that the junction of Dairyground Road and Delfur Road is not among the junctions identified in the reasons for the proposed Order.

Objector states extending restrictions for a distance of 15 meters in a south-westerly direction along Dairyground Road from the junction with Delfur Road seems excessive, particularly when compared with the distance of 10 meters proposed in comparable locations, including in the opposite direction at the same junction. Has also noted that on the associated map, all the proposed markings at the junction appear to be of the same distance.

Objector states they have noted other discrepancies between the wording of the proposed Order and markings on the associated map, and between the distances specified in the proposed Order and specified in notations on the map.

Objector states they notice that the section of the proposed Order concerning revocation of existing 'No Waiting' restrictions follows and concerns some of the same lengths of road on which new restrictions are imposed by the early part of the proposed Order. Objector states it could be argued in a court of law that the removal supersedes the application of restrictions in the overlapping areas, and so parking in those places becomes unconstrained. Objector further states in order to avoid such problems, a revised order should specify the removal of restrictions before the imposition of new restrictions.

**Response:**

The proposed restrictions compliment The Highway Code Rule 243 which states: DO NOT stop or park within 10 meters of a junction. Sometimes an extension is required, depending on the road layout and radius of the kerbline, which is the case in this instance.

To introduce anything other than 'No Waiting At Any Time' restrictions around the junctions would contradict The Highway Code.

Whilst the junction of Dairyground Road and Delfur Road may have not been specifically referenced within the 'background' information of the Report submitted to Area Committee on 11<sup>th</sup> March 2021, the proposals were certainly detailed within the accompanying plan, Drawing No. NM8-5103-01, which highlights the locations for the proposed restrictions. Furthermore, the junction of Dairyground Road and Delfur Road was detailed within the consultation letter and Drawing No. NM8-5103-01 sent to affected residents on 3<sup>rd</sup> September 2020, which included the objector.

The objector states 'that they have never noticed any problems caused by parking close to the junction' however, this contradicts the information they supplied within their consultation response; they stated 'I have not noticed any significant problems at the junction of Dairyground Road and Delfur Road except occasionally around the end of the school day at Bramhall High School, or when there are special events at the school'

Following the consultation 67% of those residents/properties with whom Network Management consulted with agreed with the proposals and therefore, this scheme has progressed.

As it is not possible to lay in-situ road markings to precise dimensions, and to allow for markings "spreading" in service, some tolerance in the prescribed dimensions is permitted. For length of road markings over 3 meters they can be up to 15 greater than, or 10% less than the specified dimension.

When detailing measurements, we round up to the nearest half meter, hence the difference highlighted. However, to address the objector's concerns, the Traffic Regulation Order will be amended to reflect the measurements detailed on the plan (Drawing No. NM8-5103-01). As the measurements are less than advertised, we will not be required to re-advertise these proposals.

We need to revoke existing restrictions in order to impose new restrictions on the same stretch of road. Whilst the revocation and making of new restrictions can be done on the same order, there is no legal requirement to detail the revocations before the new

restrictions. However, to address the objector's comments, when the Legal Order is drawn up, Stockport Councils Legal Department will complete the revocation order before completing the new order.

The descriptions detailed within a Traffic Regulation Order can be written in a variety of ways, with individual officers using different style techniques. Whilst the objector did not specify the further discrepancies to which they referred, it is noted that the word 'junction' has been used in 4 separate instances on the 'Proposed TRO Schedule, and Revocation Schedule' as opposed to the preferred wording eg. 'south easterly kerb line' 'projected kerb line', or 'intersection'. To address this, the word 'junction' has been replaced with 'projected kerb line'. This is a very minor discrepancy; it will not have any bearing on the legality of the Traffic Regulation Order or its subsequent enforcement. Additionally, they will not require any re-advertisement of these proposals.

It has also been noted that the existing restrictions on Fairhaven Close are not currently mapped. It is possible that when the original lining works were carried out in 2010 they were not correct however, these new proposals will rectify this administrative oversight.

#### **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/s received so that the scheme can be progressed and the 'No Waiting At Any Time' 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 Traffic Regulation Order and it be made as per the amendments.

8.4. That the objectors are informed of the decision.

#### Background Papers

Executive Report 'Dairyground Road/Delfur Road/Seal Road/Fairhaven Close/Gleneagles Close, Bramhall' dated Thursday 11<sup>th</sup> March 2021.  
Drawing No. NM8-5103-01

Anyone wishing further information please contact Nicola Ryan on telephone number Tel: 0161 474 4409