

STOCKPORT COUNCIL
EXECUTIVE REPORT – SUMMARY SHEET

Subject: Ladybrook Road, Bramhall - Objection Report re Proposed Traffic Regulation Order

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

Date:

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 report the Objections made in relation to the proposed Traffic Regulation Order on Ladybrook Road, Bramhall.

Recommendation(s):

The Traffic Regulation Order be made with the amendments below:

Proposed (TRO) Schedule

No Waiting at Any Time

Ladybrook Road – West Side

From the projected south kerb line of Ladybrook Road (access to 56-58), for a distance of 26 meters in a northerly direction.

Ladybrook Road – East Side

From a point, 45 meters south from the southern kerb line of Ladybrook Road (access to 13-18 One Oak Court) projected building line of 1-6 One Oak Court (following the kerb line) in a southerly direction for 37 meters.

Ladybrook Road – Access Road to 56-58 Ladybrook Road – Both Sides

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

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

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

Ladybrook Road, Bramhall Area Committee Report dated 10 November 2020
Drawing No. NM8-5122-01

Ladybrook 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 Ladybrook Road, Bramhall.
- 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:

This objection was raised 1 time

Objector believes that the double yellow lines will cause unreasonable inconvenience for residents and visitors, and that they will also be rather unsightly in the context of the area. They believe the reason for the lines has only arisen because the bin lorry sometimes runs over the kerb when reversing if a car is parked in a certain place. The bin men only come once a week, so it seems unfair to affect people 7 days a week for the sake of one 5-minute access situation.

Response:

Whilst the initial request was made by the Waste Manager on behalf of the Refuse Department, they also compliment The Highway Code Rule 243 which states DO NOT stop or park: opposite or within 10 meters of a junction.

The proposals take into consideration other larger vehicles, such as delivery vehicles requiring access to Ladybrook Road, at varied times and days of the week.

As acknowledged by the objector, the refuse vehicle 'sometimes' runs over the kerb, this is unacceptable and over time may cause considerable, and costly damage. Furthermore, it can be totally unavoidable with the implementation of the proposed TRO.

(ii) Objection 2 reason:

Objector states that whilst they do understand concerns raised by the Waste Collection Department are very important, and must be considered in particular safety, they have never seen any vehicles parked within most of the locations where double yellow lines are now considered essential. They also state that they have never seen a Waste Collection vehicle engaged in the Cul-de-Sac towards Flats 1 to 6 and 13 to 18 One Oak Court.

Objector states, no-one parks alongside the bend in the road opposite Flats 7 to 12 Woodside Mews, because it would be impossible to park there, as by virtue you would completely obstruct access to all traffic, there is only 12 feet width of access available at that point. In addition, the yellow lines would damage the appearance of this tranquil area for no justifiable reason. The mental health of the predominantly retirees living in this area must also be taken into consideration when altering a well-loved environment to a more institutionalised one. Such a change can be distressing.

Objector feels strongly about this stressful situation, in particular that, despite having been asked 3 times since this procedure started, no representative from Stockport Metropolitan Borough Council has ever met Woodside Mews residents in person, on site to appreciate the reality of the terrain and obtain their personal views. A map without measurements and position placement identification doesn't provide a good overview of the problem. If distances were shown, they would help understanding that no vehicles can park alongside the bend without blocking traffic as cars are parked opposite.

In order to clarify the situation and find a solution, your original map has been adjusted, by adding Numbered Areas so we can easily identify the areas we are discussing, also the width of the road concerned, plus a dotted line showing the route of the waste collection vehicles, none of which was shown originally. See Adjusted Map, referenced Appendix 2

Area 1 does not require lines as the waste collection vehicles NEVER go that far down Ladybrook Road. Also no one ever parks there due the width of road only 12 feet, as cars are parked opposite in 2 parking bays, you would obstruct all traffic

Area 2 not required as again road too narrow only 12 feet to parked cars, which are always parked opposite area 2.

Area 3 could be placed there but with an operational limit, that is Thursday's only from 0800 to 1200 local time to allow for waste vehicle collection.

Parking is at a premium and consideration must be given to the needs of residents, and their carer's. Also, we need to note that cars might temporarily block the narrow lanes to drop off/collect passengers. Objector further states the car driver will never do it without due consideration to the need of others. With respect, we do not need excessive Yellow Lines to remind us to do the right thing.

Areas 4,5 and 6 could be left in place with minor modifications (see below).

Areas 5 and 6 the lines that extend along the narrow cul-de-sac are not required, as any vehicle anywhere on that cul du sac would obstruct all traffic, it is only 13 feet in width. If someone were to park beyond your proposed yellow lines which they could legally do, again they would obstruct access defeating the purpose of the lines extended into that

narrow cul-de-sac. People leave that small road clear for waste, delivery, and general vehicle access. That would have been self-evident with a meeting on site with the residents.

In these very difficult, stressful, and expensive times, objector feels that it is even more important than ever to use public funds as effectively and efficiently as possible considering the need of all stakeholders. The positioning of necessary double yellow lines is very important to maximise safety, notably of the crucial Waste Collection, whilst not impeding unnecessarily on the well-being of the residents. Doing any other way might result in a waste of current and/or future public money’.

Response:

Traffic Service Officers have contacted the Waste Manager following the receipt of this comment, and it has since been confirmed the refuse vehicle does not go beyond the entrance to Woodside Mews. Following a discussion with the Highway Ward Spokesperson, it has been agreed to withdraw the TRO from this ‘one’ section from the proposals. The reviewed proposals are shown on **Drawing No. NM8-5122-RevA** and detailed on the summary sheet of this report.

Whilst the refuse vehicle may only attend the location for a short period of time one day a week, consideration regarding accessibility must be given to larger vehicles, such as delivery vehicles, who attend at a variation of different times/days of the week.

It is noted the bend in the road opposite Woodside Mews is ‘tight’. Traffic Services Officers have observed vehicles parked in front of One Oak Court on approach to the bend. It is further noted that vehicles parked within the two lay-bys located outside Woodside Mews opposite the ‘bend’, are done so in a ‘chevron style’, and overhang into the carriageway, thus reducing the available width, exemplified in the image below.



It is further noted that many residents have access to a garage, which they choose not to use for the purpose of parking.

The proposed restrictions will compliment The Highway Code Rule 243 which states DO NOT stop or park: opposite or within 10 meters of a junction.

Meeting on site with residents to discuss a proposed Traffic Regulation Order does not form part of the usual process. Traffic Service Officers have received one request to meet on site from this objector, and this was received following the Legal Advertising of the TRO proposals. Furthermore, the request for a site meeting occurred during the Covid-19 pandemic.

Whilst measurements may not have been provided on the initial plan, the plan did provide a clear indication as to the extent of the proposals.

Appendix 2 refers:

Area 1: As aforementioned, it has since been confirmed by the Refuse Department that the refuse vehicle does not travel this far up. This is not because the carriageway is not wide enough, it is because there is no requirement for it to do so. As a result of this, and following a discussion with the Highway Ward Spokesperson, Traffic Services withdraw the TRO proposals from this 'one' section of Ladybrook Road. The reviewed proposals are shown on **Drawing No. NM8-5122-RevA** and detailed in the summary sheet of this report.

Area 2: The Refuse Department has confirmed this area needs to be kept clear for the refuse vehicle, and therefore stand by their original request for a TRO to be introduced.

Area 3: Traffic Services must consider other 'larger' vehicles using Ladybrook Road, and whilst the refuse collection is on a set day of the week other deliveries are not. In addition, the proposed restrictions compliment The Highway Code Rule 243 which states DO NOT stop or park: opposite or within 10 meters of a junction.

Area 4, 5 & 6: The Refuse Department has confirmed this area needs to be kept clear for the refuse vehicle and therefore, stand by their original request for a Traffic Regulation Order to be introduced. In addition, the proposed restrictions compliment The Highway Code Rule 243 which states DO NOT stop or park: opposite or within 10 meters of a junction.

(iii) Objection 3 reason

Objector states they have lived at the location for a considerable number of years and has never seen anyone park adjacent to One Oak Court building 1 to 6, nor abeam the garages that back onto building 1 to 6.

Objector states the refuse trucks do not proceed as far as adjacent to building 1 to 6, as there is no reason for them to go that far along the road. Also states If anyone was to park adjacent to One Oak Court 1 - 6 the road would become totally blocked; this has never happened.

States the area in front of Woodside Mews 1 to 6 will be yellow lined for what? Parking here is at a premium. Further states, this is a nice area and the last thing we require is excessive Yellow Lines being painted all over the place, for no good reason'.

Response:

Traffic Service Officers have contacted the Waste Manager following the receipt of a similar comment. The Waste Manager has since confirmed the refuse vehicle does not go

beyond the entrance to Woodside Mews. Following a discussion with the Highway Ward Spokesperson, it has been agreed to withdraw this 'one' section from the proposals. The reviewed proposals are shown on **Drawing No. NM8-5122-RevA** and detailed in the summary sheet of this report.

Whilst the refuse vehicle may only attend the location one day a week, and for a short period of time, consideration still needs to be given to other larger vehicles, such as delivery vehicles who require access at a variation of different times/days of the week.

Traffic Services accept parking may be at a premium, however, it is also noted that many residents have access to a garage, which they choose not to use for the purpose of parking.

The proposed restrictions will compliment The Highway Code, Rule 243 which states DO NOT stop or park: opposite or within 10 meters of a junction.

(iv) Objection 4 reason:

Objector states the restriction of permitted parking will doubtless aid the access routes for the waste collection vehicles but will also reduce the parking availability for residents. They raised concern about the 26m zone outside Flats 1-6 of Woodside, stating that three vital car spaces will be lost, and that the council vehicles can, and do manoeuvre their access to the refuse bins by turning right between the garages of One Oak Court before reversing towards the garages of Woodside Mews.

Objector states, given the increasingly raised age profile of the majority of resident's, easy access to their cars is a not insignificant element of why they are attracted to living in these flats. The recent years have shown that popularity witnessed in the rarity of finding a parking space especially at the end of the afternoon onward, and when visitors arrive to the 30 residences in the two sets of flats.

Objector asks us not to make an already difficult situation into a distressing one for the sake of a five-minute activity per week that has been successfully managed without incident for a considerable number of years. Also suggests we consult the residents' committees' directors before finalising your judgement and allow their views to inform the decision made.

Response:

It is understood that the committee directors are also residents, and in line with the Democratic Process, Traffic Services have consulted with all affected residents in relation to these proposals.

The area referred to as the '26m zone' by the objector is Area 3 on Appendix 2, and as can be clearly seen, the proposed restrictions here will mean the loss of one parking space and not three. The Waste Dept. have confirmed a TRO is required at this junction. Furthermore, any vehicle parked immediately on this junction would be in breach of The Highway Code Rule 243.

Whilst the Refuse Department made the initial request for a Traffic Regulation Order, it must be noted that other larger vehicles use Ladybrook Road eg. delivery vehicles, and therefore, must also be considered. Whilst Traffic Services understand residents want to be able to park their vehicles with ease, it must be noted that nobody has an automatic

right to park on the adopted highway, outside of or even near to their home. Additionally, many residents have access to a garage which they choose not to use for the purpose of parking their vehicle.

(v) Objection 5 reason

Objector states they objected to the proposal in October along with, so they were led to believe, a number of other residents of Woodside Mews, and is now appalled that this was approved in November 2020.

Objector is incredulous that the needs of the Waste Collection Department are regarded as more important than those of the residents of the flats. I appreciate their dilemma and would certainly want to make their task easier, but I am sure with some discussion with all those directly involved a good solution could be reached.

There is just about enough parking for residents of Woodside Mews and 1 Oak Court at present and even the slightest reduction will mean some flat owners will not be able to park near to where they live.

Nobody would have an objection to a restriction being imposed between certain hours on the waste collection day but to limit parking at any time could well mean having to leave the car down the road at night which I would be most unhappy and anxious about doing.

I suggest that you come to visit and talk to residents then you would fully appreciate the problem.

Response:

To clarify, this 'scheme' was not approved in November 2020, it was just the 'Legal Advertising' of it that was approved.

Traffic Services consulted with other residents, and not just those of Woodside Mews. Following the consultation exercise, 67% of the residents who responded to the consultation gave their support the proposals.

Currently the refuse vehicle, along with other larger vehicles are being forced to bump up the kerb and mount the footway, and the grassed areas of private property. This is unacceptable, and over time may cause considerable and costly damage.

The proposed restrictions compliment The Highway Code, Rule 243 which states DO NOT stop park: opposite or within 10 meters of a junction.

Whilst the initial request was initially made by the Waste Department, there are other 'large' vehicles using Ladybrook Road eg. delivery vehicles, and whilst the operating times of the refuse vehicle can be pinpointed to a specific day of the week, accessibility for other larger vehicles cannot.

Nobody has an automatic right to park on adopted highway outside of, or even near to their home. Furthermore, it is noted that many residents have access to a garage but choose not to use this for the purpose of parking their vehicle.

Meeting on site with residents to discuss a proposed Traffic Regulation Order does not form part of the usual process. Furthermore, requests for a site meeting occurred during the Covid-19 pandemic.

(vi) Objection 6 reason:

Objector has used the plan (Appendix 2) helpfully annotated by their neighbour to illustrate their points.

The route that the Waste Collection Vehicles take is clearly marked, and they do not go further than the garage area where the bins are stored. There is no access to the bins further down the cul-de-sac, and so the Waste Collection Vehicles do not go there. Therefore, there is no need to put double yellow lines in the road at (1). Moreover, cars do not park on this bend.

Similarly, cars do not park at (2), therefore there is no need for double yellow lines.

I agree that double yellow lines in areas (4), (5) and (6), would help to prevent potential parking problems for the Waste Collection Vehicles, and I am aware that some of my neighbours have made some suggestions about them, and I agree with them.

I think that it is important to realise that the Woodside Mews and One Oak Court apartments have many older residents, some with infirmities, who need to be able to park near to their apartments. Others require the regular support of formal and informal carers, who will require parking adjacent to apartments to provide care, and the ability to stop to pick up and set down frail passengers. There are also frequent deliveries every day to the apartments.

It is with this in mind that I should like you to review area (3), in which the introduction of double yellow lines would reduce the available parking for residents and carers. May I suggest that the extent of the double yellow lines be reviewed to allow parking for an additional vehicle.

Moreover, in view of the fact that the Waste Collection Vehicles only require access to the area for a limited time each week, may I suggest that consideration of a time-limited parking restriction, rather than a blanket ban would be a more compassionate alternative.'

Response:

Appendix 2 refers:

Area 1 It has since been confirmed by the Refuse Department that the refuse vehicle does not travel this far up. This has nothing to do with the width of the carriageway, there is just no requirement for it to do so. Therefore, taking this into account, and following a discussion with the Highway Ward Spokesperson, Traffic Services withdraw the TRO proposals from this 'one' section of Ladybrook Road. The reviewed proposals are shown on **Drawing No. NM8-5122-RevA** and detailed in the summary sheet of this report.

Area 2: The Refuse Department has confirmed this area does need to be kept clear for the refuse vehicle. In addition, these proposed restrictions compliment The Highway Code Rule 243 which states DO NOT stop or park: opposite or within 10 meters of a junction.

Area 3: The additional vehicle highlighted on Appendix 1 is parked within 10 meters of the junction and is therefore breaching The Highway Code Rule 243. Furthermore, any vehicle parked here may hinder a motorist's view.

Traffic Services must consider accessibility for other 'larger' vehicles using Ladybrook Road, and whilst the refuse collection is on a set day of the week other deliveries are not.

Vehicles may stop for the purpose of collecting/dropping off passengers and therefore, the proposed restrictions will not impact on this activity.

If the proposed restrictions were to be downgraded to a 'time-limited parking restriction, this would result in a contradiction of The Highway Code Rule 243.

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 objections 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 amendments to the Traffic Regulation

8.4. That the objectors are informed of the decision.

Background Papers

Ladybrook Road, Bramhall Report – Tuesday 10th November 2020.
Drawing No. NM8-5122-01

Anyone wishing further information please contact Nicola Ryan on telephone number Tel: 0161 474 4409 or by email on nicola.ryan@stockport.gov.uk