

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

**Subject:** Brown Lane / Fernlea & Brandon Avenue, Heald Green - Proposed 'No Waiting At Any Time' Traffic Regulation Order

**Report to:** (a) Cheadle Area Committee  
2022

**Date:** Tuesday, 8 March

**Report of:** (b) Corporate Director for Place Management & Regeneration

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

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

**Summary:**

To report the findings of a consultation exercise and to seek approval for the introduction of a Traffic Regulation Order (TRO).

**Recommendation(s):**

The Corporate Director for Place Management & Regeneration requests that the Cheadle Area Committee consider and comment upon the following proposals and approve the legal advertising of the following Traffic Regulation Order (TRO) set out in **Appendix A** and subject to no objections being received within 21 days from the advertisement date, the order can be made.

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

**'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.

**Brown Lane / Fernlea & Brandon Avenue, Heald Green - Proposed 'No Waiting At Any Time' Traffic Regulation Order**

**Report of the Corporate Director for Place Management & Regeneration**

**1. INTRODUCTION AND PURPOSE OF REPORT**

- 1.1 To report the findings of a consultation exercise and to seek approval for the introduction of a Traffic Regulation Order (TRO).

**2. BACKGROUND**

- 2.1. Traffic Services received a request from the Highway Ward Spokesperson for the Heald Green Ward to investigate traffic issues in the vicinity of the above junctions, as it has been reported that on occasion, parked vehicles are said to be causing an obstruction, together with reduced highway visibility and creating a hazard for both pedestrians and motorists.
- 2.2. A consultation was previously carried out in relation to this matter, with the findings presented to the Cheadle Area Committee on 2<sup>nd</sup> February 2021 however, at that time the Heald Green local ward councillors requested the proposed waiting restrictions on Fernlea be extended by a further 10 meters and, that a further consultation be carried out to include all the residents of Fernlea.
- 2.3. On site investigations have been carried out by Officers, where at which time vehicles have been observed parked within 10 meters of the junction of Brandon Avenue/Brown Lane and Fernlea/Brown Lane.

**3. PROPOSALS**

- 3.1. Due to the nature of the concerns raised, Traffic Services proposed to introduce a Traffic Regulation Order (TRO) 'No Waiting At Any Time' (double yellow lines) on Brown Lane at its junction with Brandon Avenue and Fernlea. These proposals are outlined on **Drawing No. NM8-5071-02**.
- 3.2. It is anticipated that by doing this, visibility, and the safety to both pedestrian and motorist will be greatly improved.
- 3.3. These proposals will also compliment Rule 243 of The Highway Code, which states: DO NOT stop or park within 10 meters of a junction. However, due to the road layout, radius of the kerb line and width of roads, an extension to this is sometimes required to protect the junction and give safe passage for vehicles entering/exiting the junction.

**4. LEGAL POSITION/IMPLICATIONS**

- 4.1. The Traffic Management Orders would be made under Section 1 of the Road Traffic Regulation Act 1984. The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also

require the Council to consider any representations received as a result of publishing the draft Order.

## 5. CONSIDERATION OF ALTERNATIVE SOLUTIONS

- 5.1. A Shorter length of restrictions were considered, but due to width of Fernlea and observation taken onsite it was considered that a longer length on this road would be required to allow safe vehicle manoeuvres in and out of Fernlea.

## 6. CONSULTATION

- 6.1. The Local Ward Councillors have been consulted and no adverse comments were received.
- 6.2. Greater Manchester Police have no objection to these proposals.
- 6.3. Residents were consulted with; from a total of 40 No. letters sent to residents, we have received a response from 22 No. residents (55%). 19 No. residents (86%) agree with the proposals and 3 No. residents (14%) disagree with the proposals.

Comments made by those residents in support of the proposals were very similar in nature and are as follows:

Comment(s)	Traffic Services Comment(s)
Want the restrictions extending by a further 10 meters	The proposed restrictions have already been extended from 10 meters to 20 meters. This should be sufficient to ensure movement at the junction can be maintained safely.
Parking on Fernlea has been a problem for many years. The vehicles parked at the end of Fernlea restrict your view.	It is anticipated by the introduction of these waiting restrictions visibility will be greatly improved.
Would like to see the proposed restrictions to the 'west' side of Brown Lane/Fernlea, currently shown as 12 meters, extended to 20 meters.	Traffic Services are satisfied that the proposed restrictions will improve visibility.
These proposals will make exiting Fernlea a lot safer for cars and bicycles.	This is the expectation.
Quite often find myself on the wrong side of the road due to parked vehicles, it is an accident waiting to happen.	Traffic Services are satisfied that the proposed restrictions will improve safety for those using the junction(s).
These restrictions are also required opposite Lea Road and Gleneagles.	Lea Road and Gleneagles are not within the scope of this scheme.
Fernlea has become a dangerous corner for getting in and out of. It is about time something was done to prevent cars and vans parking on the corners of Brandon Ave/Brown Lane and Fernlea/Brown Lane.	It is anticipated by the introduction of these waiting restrictions will make entering and exiting Fernlea much safer.

Comments made by those residents not in support of the proposals are as follows:

Comment(s)	Traffic Services Comment(s)
There is no problem at the bottom of Fernlea anymore with parked vehicles therefore, I see no point in wasting time and money on these proposals. The law is very clear on parking at junctions. All these proposals will do is force the cars further up Fernlea.	Whilst The Highway Code is very clear on junction parking, in the absence of parking restrictions the parking enforcement team cannot carry out enforcement action. Whilst the restrictions will more than likely mean vehicles do park further up Fernlea, it is anticipated that they will ensure the junction remains clear so that vehicles can enter/exit safely.
Concerns raised that the investigations cannot be substantiated. Concerned visitors/family	Investigations include on-site visits made by Traffic Service Officers together with information

<p>members will not be able to park outside their property. Feels if visitors park outside other neighbouring properties this will lead to neighbour disputes. If these proposals go ahead I will have no alternative but to legal challenge them and seek a reduction in my council tax. Previously I drew your attention to the dimensions between the junctions of Fernlea &amp; Brown Lane compared to other junctions on Brown Lane. The entrance to Fernlea is approximately 5 meters whilst the entrance to the junction is 19 meters. Due to the excessively wide junction motorists cut the corners at unsafe speeds when turning into Fernlea. Your response to this, as stated within the report was as follows: 'the widths of both junctions are historical. Making any changes to the width of either location is not within the scope of this scheme and with regards to the motorists cutting corners, this would be a matter for the Police. Strongly recommends that we 'holistically' consider all solutions, particularly narrowing the junctions. This will be safer and the more cost-effective option.</p>	<p>provided by residents, the local ward councillors and, the outcome of the consultation(s). Whilst there may be no record of any accident having taken place at these junctions, concerns have been highlighted furthermore, the proposals do compliment Rule 243 of The Highway Code. Nobody has a right to park on the adopted highway, even outside their own property. The only right any member of the public has is 'right of passage'. Even with these restrictions, there will still be a substantial amount of unrestricted on-street parking available.</p> <p>Changes to the junction layout are historical. Making physical changes to them in order to make them 'narrower' are not within the scope of this scheme.</p> <p>Moving traffic offences sit within the remit of Greater Manchester Police, should the resident wish to pursue these concerns they should contact the Police directly.</p>
<p>As I stated previously, these proposals will simply mean that vehicles will end up parking further up Brown Lane towards St. Anns Road North (which would certainly endanger pedestrians, cyclists and vehicles alike), or park further down Brandon Avenue – this still stands. The original complaint I am sure was objecting to vehicles parking on the junction of Fernlea/Brown Lane. I find it amazing that it has come to an effort to enforce a TRO in this area. It is blatantly obvious that any vehicles that were (and I emphasise 'were') causing any obstruction, have long gone. The problem being highlighted now is non-existent. A couple of questions I would certainly like to be considered area:</p> <ol style="list-style-type: none"> <li>1) Were these regular offending vehicles reported and tickets issued for causing an obstruction, and or hazard?</li> <li>2) If the same vehicles continued to cause said obstruction, were further tickets issued and the keepers of the vehicles brought to task?</li> <li>3) Why are several households being inconvenienced when it would be a simple case to speak with the keepers of the vehicles?</li> </ol> <p>The main issue would appear to be rooted at vehicles parking at the junction of Fernlea/Brown Lane, causing vehicles exiting Fernlea an issue when turning left. Therefore, if a TRO needs to be instigated, why not just place it at this junction on Fernlea.</p> <p>I appreciate that you will not be responding to individual comments, however could you advise me where I can obtain the minutes from consultation meeting on the above topic?</p>	<p>It is possible that the implementation of these proposals may result in some motorists seeking alternative parking however, until these restrictions are implemented there is no evidence vehicles will park on the Brown Lane/St. Anns North junction.</p> <p>Traffic Services Officers have continued to carry out site visits to this location and, have seen vehicles parked within 10 meters of the junction(s). These proposals compliment Rule 243 of The Highway Code and if introduced, will mean that the Councils Parking Enforcement Team will be able to carry out enforcement action against offending vehicles.</p> <p>A substantial number of residents have been consulted with, the outcome of which has seen 86% in agreement with the proposals.</p> <p>In the absence of a Traffic Regulation Order, such as No Waiting At Any Time (Double Yellow Lines) the Council's Parking Team are unable to carry out enforcement action against those parking on the junction(s). Unfortunately, Traffic Services does not have access to Police data, therefore, are unable to comment on whether any reports of junction parking has been reported to the Police and if so, what action was taken by the Police.</p> <p>Nobody has a right to park on the public highway, this includes outside your own home if the area is that of a public highway. The only right members of the public have is 'right of passage'.</p> <p>Whilst these restrictions may affect parking outside some properties, there will still be a large proportion of unrestricted parking available.</p>

	Traffic Services have written to the resident to advise how the resident will be able to obtain minutes from this Area Committee.
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## 7. FINANCIAL IMPLICATIONS

7.1. The estimated costs of this scheme are as follows:

Legal Costs	£560
Lining Works	£250
<b>TOTAL</b>	<b>£810</b>

## 8. TIMESCALES

8.1. Subject to objections, 3 months.

## 9. EQUALITIES/COMMUNITY IMPACT ASSESSMENT

9.1. Equal Opportunities

- To provide a suitable and safer environment for pedestrians and other road users. The scheme contributes to the Council's vision statement "Promote equal life outcomes for all by tackling known inequalities across the borough of Stockport".

9.2. Sustainable Environment

- To develop and sustain a healthy, safe and attractive local environment which contributes to Stockport. Stockport Council understands the responsibility it has to lead by example and help the broader community make a positive contribution to the local environment.

## 10. CONCLUSIONS AND RECOMMENDATIONS

10.1. The Corporate Director for Place Management & Regeneration requests that the Cheadle Area Committee consider and comment upon the following proposals and approve the legal advertising of the following Traffic Regulation Order (TRO) set out in **Appendix A** and subject to no objections being received within 21 days from the advertisement date, the order can be made.

### Background Papers

Brown Lane / Fernlea & Brandon Avenue, Heald Green Executive Report 2<sup>nd</sup> February 2021.

<https://democracy.stockport.gov.uk/documents/s184264/Brown%20LaneFern%20Lea%20Brandon%20Avenue%20Heald%20Green.pdf>

Drawing NM8/5071/01

<https://democracy.stockport.gov.uk/documents/s184265/Drawing%20No.%20NM8-5071-01%20Rev%20A.pdf>

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

## **APPENDIX A**

### **Proposed TRO 'No Waiting At Any Time'**

#### **Fernlea, Heald Green (Both Sides):**

From the intersection of the southern kerb line of Brown Lane, for a distance of 20 metres in a southerly direction.

#### **Brandon Avenue, Heald Green (Both Sides):**

From the intersection of the northern kerb line of Brown Lane, for a distance of 10 metres in a northerly direction.

#### **Brown Lane, Heald Green (South Side):**

From a point, 12 metres west of the intersection of the western kerb line of Fernlea to a point, 25 metres east of the intersection of the eastern kerb line of Fernlea.

#### **Brown Lane, Heald Green (North Side):**

From a point, 11.5 metres west of the intersection of the western kerb line of Brandon Avenue, to a point 14 metres east of the intersection of the eastern kerb line of Brandon Avenue.