

STOCKPORT COUNCIL
EXECUTIVE REPORT – SUMMARY SHEET

Subject: The Metropolitan Borough Council of Stockport (Cheadle Catholic Junior and Infant School) (Prohibition and Restriction of Waiting) (Revocation) Order 2021 – Objection Report

Report to: (a) Bramhall & Cheadle Hulme South Area Committee
Thursday, 10 March 2022

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 consider a number of objections to proposed Traffic Regulation Orders (TRO)s for Conway Road, Henley Avenue, Kew Drive, Ruthin Avenue, Rhos Avenue, Mostyn Avenue, Bray Close, Llanberis Road, Brecon Avenue and Turves Road, Stockport.

Recommendation(s): The Bramhall & Cheadle Hulme South Area Committee is asked to consider the comments in the report, and provide approval for the amended orders to 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: Caroline Aylmer-Shanks

‘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.

The Metropolitan Borough Council of Stockport (Cheadle Catholic Junior and Infant School) (Prohibition and Restriction of Waiting) (Revocation) Order 2021 – Objection Report

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 a number of objections to proposed Traffic Regulation Orders (TROs), for Conway Road, Henley Avenue, Kew Drive, Ruthin Avenue, Rhos Avenue, Mostyn Avenue, Bray Close, Llanberis Road, Brecon Avenue and Turves Road, Stockport. The TROs are proposed as part of the Road Safety around Schools scheme around Cheadle Catholic Junior & Infant School.
- 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. Eighteen objections have been received:-
- 3.2. Nine objectors live within the locality of the proposed TROs and nine objectors live outside the area, but drive a child to the school.
- 3.3. Nine objections were in relation to the proposed TROs in general, seven were specifically in relation to the proposals for Kew Drive, one was in relation to the proposals for Conway Road and one was in relation to the proposals for Henley Avenue.
- 3.4. All of the objections received to the proposed TROs in general were from residents who live outside the area, but drive a child to the school. Four of the responses queried what alternative there was for those dropping-off / collecting pupils with two responses advising that grandparents who collect pupils were unable to walk long distances. Four objectors also referred to the parking provision at Bruntwood Park, with two stating that it is already very busy; two advising that it is not ideal due to the distance from the school and one requesting that the footpath be resurfaced. One objector advised that traffic is much better when traffic wardens are present, and advised that the problems are caused by inconsiderate parking, and one objector requested the provision of speed cushions on Conway Road to reduce the speed of vehicles.

3.5. The objections in relation to the proposal to extend the Kew Drive 'No Waiting at Times Shown' restrictions to apply all year around are summarised below:-

1. Seven objection e-mails were received in relation to the proposed changes to the Kew Drive parking restrictions. Three of these e-mails were submitted by family members of one residence who was unable to respond themselves. These three e-mails have been treated as one response within the following analysis as they all relate to the same resident.
2. Four of the five separate objections received advised that the existing parking restrictions are ignored by parents/carers collecting pupils from the school.
3. Four of the five separate objections referred to the impact on friends, family and tradespeople. One respondent suggested that residents should have the right to park outside their own homes, believing that this has previously been the case since 1966, and the right for friends and family who are looking after a person who is extremely unwell to park outside the house. Another objector advised that they currently schedule repair work for school holidays in order to comply with the existing restrictions.
4. One objection included a petition which was signed by one or more residents from each of the properties within Kew Drive stating a request for two visitor parking permits on request should the proposed changes to the parking restrictions be implemented. The petition also stated that *'the new yellow lines make life difficult for the residents of Kew Drive'*. The permits are requested for the following: *'long term carers and health professionals; tradesmen and workmen; visitors; and households with no room to park a second car on their drive'*.
5. One objector advised that they accepted that parents would park on the road regardless of restrictions but did raise that cars currently park on the pavement on both sides of the road, such that it is impossible to safely pass as a pedestrian and raised concern that an emergency vehicle would not be able to gain access at these times. If bollards were erected this would restrict parking to one side of the road.

3.6. The resident who objected to the proposal to extend the Conway Road 'No Waiting at Times Shown' restrictions to apply all year around advised that the parking problems only occur during school term time and that the issue is with the enforcement of the restrictions. The objector advised that parents only comply with the restrictions when wardens are on-site and that the proposals would not address the root cause of the problem. The objector suggested that the school could provide an on-site drop-off zone, or that the council could look into residents permit parking.

3.7. The local resident who objected to the No Waiting At Any Time restrictions on Henley Avenue requested confirmation that double yellow lines would not be painted on the areas described within the notice and that they would still be able to park their car on Henley Avenue after the TRO is introduced. They advised that there is only space on their drive for one of the three vehicles owned by the family.

Response

- 3.8. In June 2021 a report was presented to the Bramhall & Cheadle Hulme South Area Committee for approval to introduce several TROs (and associated signage; implementation of dropped kerbs with tactile paving; and new school warning signs) to support the Road Safety Around School scheme proposed for Cheadle Catholic Junior and Infant school.
- 3.9. During officer visits to the site it was observed that vehicles were parked in contravention of the No Waiting at Times Shown restrictions in the vicinity of Cheadle Catholic Junior and Infant Schools.
- 3.10. A response is provided below to the objections received in general; for Kew Drive; Conway Road; and Henley Avenue.

General Objections

- 3.11. The general objections received to the proposed TROs were from respondents who live outside the area of the proposed measures and drive children to/from school.
- 3.12. The only measure identified within the proposals that will change the existing parking restrictions during school term time is the introduction of No Waiting At Any Time on the bend of Henley Avenue. The No Waiting at Times Shown restrictions will replace existing term-time only No Waiting at Times Shown restrictions which currently prohibit parking in these locations; the area covered is not proposed to be extended and so will have no impact on drivers during school term-time. The No Waiting At Any Time restrictions that are proposed to be introduced at the junctions of Mostyn Avenue, Rhos Avenue, Colwyn Road and Turves Road with Conway Road reinforce Rule 243 of the Highway Code which states that vehicles should not be parked within 10 metres of a junction to ensure visibility is maintained. This protects clear visibility between pedestrians and vehicles approaching junctions creating a safer environment in which to cross roads.
- 3.13. In relation to the objectors who have advised that grandparents have walking difficulties, the Department for Transport advises that Blue Badge holders may park on single or double yellow lines for up to 3 hours (where there are no loading restrictions) so long as they display their badge and blue parking clock. This means that those who qualify for a blue badge would be able to park on the 'No Waiting at Times Shown' restrictions closest to the school (Kew Drive, Conway Road, Henley Avenue and Ruthin Avenue).
- 3.14. The comment regarding enforcement is acknowledged by the traffic team and additional enforcement visits will be undertaken following introduction of the new measures.
- 3.15. With regards to the request for speed cushions on Conway Road, this road is currently subject to a 20mph speed limit and it is not considered that any additional measures can be introduced within the Road Safety Around Schools budget. The budget also cannot accommodate the request to resurface the path to Bruntwood Park.

Kew Drive

- 3.16. The objections to the proposed extension of the Kew Drive restrictions to apply all year round were received from residents of Kew Drive.
- 3.17. Several of the objections referred to the impact on tradespeople or guests visiting the house. There is an online form that can be completed to request a dispensation to park in a restricted area (e.g. to get permission to park on yellow lines). Whilst this service does not provide for general visitors, it could be used to allow tradespeople to park on Kew Drive when required and can be accessed at the following webpage:
- <https://www.stockport.gov.uk/start/request-a-parking-dispensation>
- 3.18. With regards to the assertion that the residents have had the right to park outside their own homes since 1966, the only right the general public has over the highway is a right of passage along it.
- 3.19. It is noted that one of the objectors raised concern that an emergency vehicle would not be able to gain access due to the current level of parking on Kew Drive at school times. Similar concerns were raised within the initial public consultation on the scheme in January-February 2021 where concerns were received from four residents of Kew Drive in relation to inconsiderate parking related to school drop-off and pick-up times. These concerns related to difficulty manoeuvring off/on driveways as well as access for emergency vehicles due to parking. The ambiguity as to the dates covered by existing 'term time' restrictions makes it difficult to enforce without challenge. The application of the TRO all year round would remove this ambiguity and would aid enforcement which should deter drivers from parking in contravention of the parking restrictions and therefore improve the situation described.
- 3.20. In relation to the request for bollards on one side of the road, it is not considered that there is sufficient width to the footway to accommodate the provision of bollards without causing an obstruction to pedestrians, especially those in wheelchairs, or with pushchairs. Bollards are therefore not recommended in this location.
- 3.21. Alternative options have been considered for Kew Drive as set out below:
1. Amend the restrictions to apply all year around (Monday to Friday 8:30-9:30am and 3-4pm) as proposed as part of the RSAS scheme (this would align with the proposals for Conway Road, Henley Avenue and Ruthin Avenue);
 2. Remove the No Waiting at Times Shown restrictions on Kew Drive in their entirety (this would likely lead to an increase in parking on Kew Drive at school start and finish times);
 3. Amend the restrictions to apply all year around (Monday to Friday 8:30-9:30am and 3-4pm) but remove the restrictions from a section on the southern side of Kew Drive e.g. between 10m back from Conway Road to the edge of no. 2 Kew Drive to provide for the on-street car parking demand from visitors / tradespeople; or
 4. Introduce residents permit parking on Kew Drive. This would fall outside the scope of the Road Safety around Schools programme and would need to be progressed with Network Management and funded through the delegated ward budget

- 3.22. It is the view of officers that Option 3, set out above, would be the most appropriate solution to reduce parking on Kew Drive around school times, whilst accommodating on-street demand from local residents. None of the options set out above were however supported by Ward members. Ward members have requested that the existing ambiguous TRO remain; this is against officer recommendation. Paying due regard to the overwhelming response from the residents of Kew Drive, and Ward member feedback, the amendment to the existing restrictions will be removed from the scheme proposals; the existing term-time only restrictions will be retained.

Conway Road

- 3.23. One objection was received to the proposed extension to the existing No Waiting at Times Shown restrictions on Conway Road.
- 3.24. As described above, the application of the TRO all year round removes the existing ambiguity over the dates covered by the restrictions and aids enforcement. Conway Road is considered more of a throughfare than Kew Drive as it provides the main access route for pedestrians and vehicles between the schools and Turves Road. The level of interaction with other road users in this location increases the importance of the parking restrictions and it is therefore recommended that the proposed TRO be implemented.
- 3.25. The Road Safety around Schools budget cannot accommodate a proposal for a Resident Parking Scheme. Should there be sufficient support for this it would need to be progressed via a request to the Network Management team.

Henley Avenue

- 3.26. One objection was received to the proposed introduction of No Waiting At Any Time restrictions on the inside bend of Henley Avenue. This TRO was subject to a previous public consultation which presented three options to residents in April 2019 after it had been reported that on occasions, parked vehicles were causing an obstruction, together with reduced highway visibility and created a hazard. The TRO is proposed in order to support road safety. Whilst double yellow lines are proposed for a 50m section along the inside bend, it can be confirmed that there will continue to be unrestricted on-street parking available on the outside bend of Henley Avenue; on-street parking will also be available further west and south along Henley Avenue

4. PROPOSED AMENDMENT TO THE ORDER

- 4.1. Council officers having considered objections received propose an amendment to the Order as follows:
- It is proposed to retain the existing TRO on Kew Drive.
- 4.2. The proposed amendments as shown on Drawing F/0305/DR/005 reflect a reduction in the extent of the TROs advertised (and shown on Drawing No. F/0305/DR/004). It is recommended that the Traffic Regulation Orders as shown on Drawing F/0305/DR/005 and described within Appendix A be made.

5. FINANCIAL IMPLICATIONS

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

6. LEGAL IMPLICATIONS

- 6.1. 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.

7. REASONS FOR RECOMMENDATIONS

- 7.1. 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.
- 7.2. The Committee should make a decision in respect of the objection/s received so that the scheme can be progressed and the No Wating At Any Time and No Waiting Monday – Friday, 08:30-09:30 and 15:00-16:00 restrictions introduced or abandoned.

8. ALTERNATIVES CONSIDERED

- 8.1. 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.

9. RECOMMENDATIONS

- 9.1. It is recommended that:
- 9.2. the Area Committee note all Traffic Regulation Orders where objections have been considered by officers;
- 9.3. the Area Committee accept the proposed amendment/s to the Order as stated above and as shown on the attached plan.
- 9.4. That the objectors are informed of the decision where contact details have been provided.

Background Papers

There are no background papers to this report.

Anyone wishing further information please contact Caroline Aylmer-Shanks by email on c.aylmer-shanks@stockport.gov.uk

Appendix A

Revocation of Existing TROs

Revocation of 'Term Time Only' No Waiting At Times Shown on Conway Road, Henley Avenue and Ruthin Avenue, Cheadle Hulme, as referred to in the Consolidation order (Grid Ref: F35 and F36).

Revocation of the 'No Waiting At Times Shown' (8am to 6:30pm) restriction on Turves Road (northern side) from a point 6m to the south-west of the intersection of the western kerblines of Conway Road for a distance of 4m in a south-westerly direction. As referred to in Consolidation order (Grid Ref: F37).

Proposed TRO – Schedule

NO WAITING MONDAY – FRIDAY, 08:30am – 09:30am and 15:00-16:00pm

| Location | Extent |
|--------------------------------------|---|
| Conway Road (Eastern Side) | From a point 8m south east of the intersection of the southern kerblines of Kew Drive for a distance of 37.5m in a south-easterly direction. |
| Conway Road (Western Side) | From a point 9.5m north west of the intersection of the northern kerblines of Pembroke Close for a distance of 36.5m in a north-westerly direction. |
| Ruthin Avenue (Both Sides) | From a point 8m east of the intersection of the eastern kerblines of Conway Road for the full extent of the road including the turning head. |
| Henley Avenue (Northern Side) | From a point 8m north-east of the intersection of the eastern kerblines of Conway Road for a distance of 66m in a north-easterly direction. |
| Henley Avenue (Southern Side) | From a point 8m north-east of the intersection of the eastern kerblines of Conway Road for a distance of 24m in a north-easterly direction. |
| Henley Avenue (Southern Side) | From a point 8m north-east of the intersection of the eastern kerblines of Kingston Place for a distance of 22m in a north-easterly direction. |
| Conway Road (Western Side) | From a point 10m north-west of the intersection of the northern kerblines of Llanberis Road for a distance of 27.5m in a north-westerly direction. |
| Conway Road (Eastern Side) | From a point 10m north-west of the intersection of the northern kerblines of Ruthin Avenue for a distance of 65m in a north-westerly direction. |

NO WAITING AT ANY TIME

| Location | Extent |
|---|--|
| Conway Road (Both Sides) | From the intersection of the northern kerbline of Turves Road for a distance of 11m in a north-westerly direction. |
| Turves Road (Northern Side) | From a point 10m south-west of the intersection of the western kerbline of Conway Road to a point 10m north-east of the intersection of the eastern kerbline of Conway Road. |
| Conway Road (Eastern Side) | From a point 10m north-west of the intersection of the northern kerbline of Rhos Avenue to a point 10m south-east of the intersection of the southern kerbline of Rhos Avenue. |
| Rhos Avenue (Both Sides) | From the intersection of the eastern kerbline of Conway Road for a distance of 5m in a north-easterly direction. |
| Conway Road (Western Side) | From a point 11m north-west of the intersection of the northern kerbline of Colwyn Road to a point 13m south-east of the intersection of the southern kerbline of Colwyn Road. |
| Colwyn Road (Both Sides) | From the intersection of the western kerbline of Conway Road for a distance of 12m in a south-westerly direction. |
| Conway Road (Eastern Side) | From a point 10m north-west of the intersection of the northern kerbline of Mostyn Avenue to a point 10m south-east of the intersection of the southern kerbline of Mostyn Avenue. |
| Mostyn Avenue (Both Sides) | From the intersection of the eastern kerbline of Conway Road for a distance of 5m in a north-easterly direction. |
| Henley Avenue (Southern Side) | From a point 10m west of the intersection of the western kerbline of Bray Close to a point 10m north-east of the intersection of the eastern kerbline of Bray Close. |
| Bray Close (Both Sides) | From the intersection of the southern kerbline of Henley Avenue for a distance of 4m in a southerly direction. |
| Henley Avenue (Southern Side) | From a point 16m north-east of the intersection of the eastern kerbline of Burnham Close for a distance of 50m in a north-easterly then in a south-easterly direction. |
| Llanberis Road (Southern Side) | From a point 10m south-west of the intersection of the western kerbline of Brecon Avenue to a point 11m north-east of the intersection of the eastern kerbline of Brecon Avenue. |
| Brecon Avenue (Both Sides) | From the intersection of the southern kerbline of Llanberis Road for a distance of 5m in a south-easterly direction. |

