

TRAFFIC REGULATION ORDER PANEL
25/11/2021 at 5.30 pm



Present: Councillor Davis (Chair)
Councillors Brownridge (Vice-Chair), C. Gloster and Woodvine

Also in Attendance:
Alan Evans Group Solicitor

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the Traffic Regulation Order Panel held on 30th September be approved as a correct record.

6 **PUBLIC SPEAKING AT TRAFFIC REGULATION ORDER PANEL MEETINGS**

Consideration was given to a report of the Director of Environmental Services which sought approval of a recommendation to Full Council to the introduction of a formal procedure for public speaking at meetings of the Traffic Regulation Order Panel.

It was reported that in recent years persons making representations on proposed traffic regulation orders had often asked to speak at the meeting of the Panel considering the proposals.

In the absence of a formal procedure the Chair of the Panel had a discretion to allow those persons to speak.

To ensure consistency with the Planning Committee procedures and to enhance public participation in decision making it was recommended that a formal procedure to allow public speaking at meetings of the Traffic Regulation Order Panel be introduced. The proposed procedure was included at Appendix 1 to the report and was based on the protocol for public speaking at meetings of the Planning Committee.

The procedure would allow speaking by one supporter and one objector who have made representations in respect of a proposed traffic regulation order. As with the procedure at Planning Committee, the public will be restricted to 3 minutes to make representations. Ward Members would also be permitted to speak on traffic regulation order proposals for up to 5 minutes.

The Traffic Regulation Order Panel is also responsible for considering written representations made in respect of proposed

public spaces protection orders and it was recommended that the same procedure of public speaking be introduced.

Options/alternatives considered

Option 1: To approve the recommendation and introduce a procedure for public speaking at Traffic Regulation Order Panel meetings

Option 2: Not to approve the recommendation

RESOLVED – That Council be recommended to adopt the procedure for public speaking at meetings of the Traffic Regulation Order Panel detailed in Appendix 1 of the report and include the procedure in Part 8 Appendix 3 of the Constitution.

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S257 TOWN AND COUNTRY PLANNING ACT 1990, S53A WILDLIFE AND COUNTRYSIDE ACT 1981 , PUBLIC PATH DIVERSION & DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER. FPS 46, 47 & 48 CHADDERTON.

Consideration was given to a report of the Director of Environmental Services which sought approval to the making of a Public Path Diversion and Definitive Map and Statement Modification Order for Footpaths 46, 47 & 48 Chadderton at Broadway, Chadderton as detailed in the report.

The Council had received an application from Countryside Properties, Great Places Housing Association and FO Developments to facilitate the proposed residential development of up to 160 affordable dwellings. Planning Ref: FUL/345659/20 (Approved 3 June 2021).

Consultations with user groups over the application did not result in any objections.

It was reported that the Application had been made by the 3 parties named above in relation to the proposed construction of a residential development of up to 160 residences of 'affordable housing' (FUL/345659/20).

The Order-making and Confirming Authority were guided to authorise the diversion of any footpath if they were satisfied that it was necessary to do so in order for the development to be carried out in accordance with the granted planning permission. The route of Footpath 46 Chadderton was shown on attached plan to the report (764/A4/225/1). The path commenced at point B south west of Chilton Avenue (approximately 147m from end of cul de sac) following a slight north-easterly route for approximately 157m where it met Footpaths 44 (East) & 45 (West) Chadderton at point E. The existing route ran through undeveloped land (i.e. fields). The description of the current route was given in Schedule 1 to the report. The diverted path was also shown on the plan and follows points J-I-H-G-F-E. The path then met existing footpaths 44 (East) & 45 (West), Chadderton. The description of the diverted route was given in Schedule 2 to the report.

The route of Footpath 47 Chadderton was shown on the attached plan to the report (764/A4/225/1). The path commenced at point B south west of Chilton Avenue (approximately 147m from end of cul de sac) following a south easterly route for approximately 38m to point C, then proceeded east for approximately 162m to point D, joining Broadway,

Chadderton. The description of the current route is given in Schedule 1 to the report.

The diverted path was also shown on the plan and followed points J-M-N-O-P-R-Q. The path then terminated at Broadway, Chadderton. The description of the diverted route is given in Schedule 2 of the report.

The route of Footpath 48 Chadderton was shown on the attached plan to the report (764/A4/225/1). The path commenced at point A (approximately 170m west of the current convergence of Footpaths 46, 47 & 48 and proceeded east for approximately 170m to join Footpaths 46 & 47 Chadderton at point B.

The diverted path was also shown on the plan and follows points A-F-G-K-L-J. The path then met the proposed diverted Footpaths 46 & 47 at point J. The description of the diverted route was given in Schedule 2 of the report.

The existing alignment of the Footpaths would be directly affected by the housing development being constructed by the applicants.

The required highway signage, from the metallised road and the way markers along the route would be paid for by the Applicant i.e. both installation, posts and the sign.

If the order was confirmed it would be necessary to modify the Definitive Map and Statement for Footpaths 46, 47 & 48 Chadderton. The Council had an obligation to continuously review the Map and Statement. The Public Rights of Way (Combined Orders) (England) Regulations 2008 allowed the Order-making Authority to make a Combined Order for a diversion proposal and Definitive Map and Statement Modification. In light of the above it was considered that this is appropriate in this case. The current wording for the Definitive Statement was given in Schedule 3 and the amended wording was given in Schedule 4 to the report.

Option/alternatives considered

Option 1 – To agree the recommendation

Option 2 – Not to agree the recommendation.

RESOLVED – That the Council make a Public Path Diversion and Definitive Map and Statement Modification Order for the diversion of Footpaths 46, 47 & 48 Chadderton under Section 257 of the Town and Country Planning Act 1990 and section 53A of the Wildlife and Countryside Act 1981 as detailed in the report and officers be authorised to carry out the necessary procedures with a view to confirming the Order in the event that no objections are made to the Order.

The meeting started at 5.30pm and finished at 5.57pm