

***TRAFFIC REGULATION ORDER PANEL
Regulatory Committee
Agenda***

Date Thursday 16 June 2022

Time 5.30 pm

Venue Lees Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Peter Thompson in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Peter Thompson Tel. 0161 770 5151 or email Peter.Thompson@oldham.gov.uk
 3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Monday, 13 June 2022.
 4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE TRAFFIC REGULATION ORDER PANEL IS AS FOLLOWS:
Councillors Salamat, Woodvine, S Bashforth, Murphy and Ahmad

Item No

1 Appointment of Chair

To appoint a Chair of the Traffic Regulation Order Panel for the 2022/23

Municipal Year.

2 Appointment of Vice Chair

To appoint a Vice-Chair of the Traffic Regulation Order Panel for the 2022/23 Municipal Year.

3 Apologies for absence

4 Urgent business

Urgent business, if any, introduced by the Chair.

5 Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

6 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

7 Minutes of Previous Meeting (Pages 1 - 6)

The minutes of the meeting held on 17th March 2022 are attached for approval.

8 Representations to Proposed Disabled Persons Parking Places Order – Various Locations (Pages 7 - 72)

The purpose of this report is to consider all representations received to the introduction of disabled persons parking places at various locations in the Borough.

9 Grange Avenue, Werneth – Objection to Traffic Regulation Order (Pages 73 - 96)

The purpose of this report is to consider six objections to a proposal for prohibition of waiting restrictions to be introduced along Grange Avenue, Werneth.

10 Ladhill Lane and Oak View Road (Ladhill Bridge), Greenfield – Objections to Traffic Regulation Order (Pages 97 - 112)

The purpose of this report is to consider two objections to a proposal for prohibition of waiting restrictions to be introduced at Ladhill Bridge, Greenfield.

11 S257 Town and Country planning Act 1990 – Diversion of Definitive Footpath 119 Saddleworth, Treetops Close, Dobcross, and S53A Wildlife and Countryside Act 1981 Modification of the Definitive Map & Statement (Pages 113 - 128)

To seek approval to the making of a Public Path Diversion and Definitive Map



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and Statement Modification Order for Footpath 119 Saddleworth, Treetops Close, Dobcross as detailed in the report.

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TRAFFIC REGULATION ORDER PANEL
17/03/2022 at 5.30 pm

Present: Councillor Davis (Chair)
Councillors C. Gloster, Salamat, Woodvine and Briggs
(Substitute)

Also in Attendance:

Alan Evans	Group Solicitor
Kaidy McCann	Constitutional Services
Liam Kennedy	Highways & Engineering
Mark Kenyon	Councillor Saddleworth West and Lees

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Brownridge.

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 meeting of the Traffic Regulation Order Panel held on 20th January 2022 be approved as a correct record.

6 **S257 TOWN AND COUNTRY PLANNING ACT 1990 –
DIVERSION OF DEFINITIVE FOOTPATH 26 OLDHAM,
LAND OFF KNOWLS LANE, OLDHAM, AND S53A
WILDLIFE AND COUNTRYSIDE ACT 1981 MODIFICATION
OF THE DEFINITIVE MAP & STATEMENT**

The Panel considered a report that sought approval for the making of a Public Path Diversion and Definitive Map and Statement Modification Order for Footpath 26 Oldham, land off Knowls Lane, Oldham.

The Panel were informed that the route of Footpath 26 Oldham was shown on attached plan (764/A4/226/1). The path commences off Rhodes Hill South of Thornley Brook following an easterly route to its junction with Footpath 25 Oldham for approximately 480m. The existing route runs through undeveloped land. The description of the current route was given in Schedule 1, to the report. The diverted path was also

shown on the plan and followed points A-C-D-B. The description of the diverted route was given in Schedule 2, to the report.



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Council

The existing alignment of the Footpath would be directly affected by the 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.

Under section 149 of the Equality Act 2010 the Council must, in the exercise of its functions have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic (which includes disability) and persons who do not share it. In considering this application it was assessed that the current route of Footpath 26 Oldham was not accessible to wheelchair users as it is uneven, unpaved, muddy, and often steep and narrow in parts, so it did not provide equality to disabled persons. A diversion route could not be created that would be entirely level and without steps owing to the topography of the area. Any member of the public accessing the Thornley Brook valley on foot is met with a steep inclined approach and as a result, users of the footpath had to be able to navigate initial slopes and steps to be able to walk the footpath. The proposed diversion route and the provision of timber framed steps and flagging at steep points would improve access for all non-wheelchair users. As the existing footpath was not accessible to all wheelchair users, the proposed diversion would not result in any additional loss of access to all wheelchair users.

If the order were to be confirmed it would be necessary to modify the Definitive Map and Statement for Footpath 26 Oldham. The Council has 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. The current wording for the Definitive Statement was given in Schedule 3 and the amended wording was given in Schedule 4, to the report.

An objector attended the meeting and was permitted to address the Panel on this application.

A Saddleworth West and Lees Ward Councillor attended the meeting and was permitted to address the Panel on this application.

The applicant attended the meeting and was permitted to address the Panel on this application.

Options considered:

Option 1: to approve the recommendation.

Option 2: not to approve the recommendation.

Resolved that, as per the recommendation, the Public Path Diversion and Definitive Map and Statement Modification Order for Footpath 26 Oldham be approved under section 257 of the Town and Country Planning Act 1990 and section 53A of the Wildlife and Countryside Act 1981.



7

DEFINITIVE MAP MODIFICATION ORDER S53 – WILDLIFE AND COUNTRYSIDE ACT 1981 CLAIM TO REGISTER A PUBLIC BRIDLEWAY FROM STANDEDGE FOOT RD TO HUDDERSFIELD RD, DIGGLE

The Panel considered a report that sought approval for the making of a Definitive Map Modification Order in respect of a route which ran between Standedge Foot Road and Huddersfield Road, Diggle.

The application was received in respect of the application route which was claimed to be a bridleway. However, unusually, the Application was not supported by any User Evidence Forms showing the use made of the application route. The application route was not recorded on the Definitive Map and Statement for the area and was not identified on either the draft or provisional maps prepared in the early 1950's. Numerous maps had been provided by the British Horse Society (BHS) in support of the application. However, no User Evidence showing the use made of the route by horses had been submitted. The BHS has been requested to provide user evidence but has refused to do so and had requested that the application be determined based on the map evidence alone.

Options considered:

Option 1: to approve the recommendation.

Option 2: not to approve the recommendation.

Option 3: to withdraw the application.

RESOLVED that, the application be withdrawn to allow the Landowners to have notification of the application.

8

PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER S118 HIGHWAYS ACT 1980 – EXTINGUISHMENT OF PART OF FP118, SADDLEWORTH – MOUNT LANE/HUSTEADS LANE, DOBCROSS AND S53A WILDLIFE AND COUNTRYSIDE ACT 1981 MODIFICATION OF THE DEFINITIVE MAP AND STATEMENT

The Panel considered a report that sought approval to make a Public Path Extinguishment Order for part of Footpath 118, Saddleworth.

The application was received from the residents of The Old Vicarage, Streethouse Lane, Dobcross via their agent Roundhay Properties Ltd for the extinguishment of part of Footpath 118, Saddleworth which was situated on their land, under Section

118 of the Highways Act 1980. The line of the path passed close to the property at The Old Vicarage. The Government had issued 'Draft Guidance on the diversion or extinguishment of rights of

way that pass through gardens, farmyards and commercial premises'. The Guidance describes the problem of Public Rights of Way which pass through contained spaces, such as private gardens. It states that 'Members of the public may not be comfortable following a path through a contained space of this type because doing so may be infringing on the privacy of a houseowner'. Such path alignments can deter people from exercising the public's right to walk along the path. In addition, the line of the path had been blocked for many years by an outbuilding/garage. The residents of The Old Vicarage, Streethouse Lane, Dobcross had been in discussion with the Council for some time about resolving these issues.

The diversion of the path away from The Old Vicarage was originally proposed as a combined diversion with part of the nearby Footpath 185 Saddleworth under section 257 of the Town and Country Planning Act 1990. However, following discussions with representatives of the Ramblers Association and the Peak and Northern Footpath Society, it has been agreed that the most appropriate action to take was for the residents to apply to have the branch of Footpath 118 Saddleworth which passes through their land stopped up under Section 118 of the Highways Act 1980.

Options considered:

Option 1: to approve the recommendation.

Option 2: not to approve the recommendation.

RESOLVED that, as per the recommendation, the Public Path Extinguishment and Definitive Map and Statement Modification Order for footpath 118 Saddleworth (part) be approved under Section 118 of the Highways Act 1980 and Section 53A of the Wildlife and Countryside Act 1981.

9

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER S119 HIGHWAYS ACT 1980 - DIVERSION OF DEFINITIVE FOOTPATH 185 SADDLEWORTH (PART), AT MOUNT SORREL, MOUNT LANE, DOBCROSS AND S53A WILDLIFE AND COUNTRYSIDE ACT 1981 MODIFICATION OF THE DEFINITIVE MAP AND STATEMENT

The Panel considered a report that sought approval to make a Public Path Diversion and Definitive Map and Statement Modification Order for Footpath 185 Saddleworth (part) at Mount Sorrel, Mount Lane, Dobcross.

The application was received from the residents of The Old Vicarage, Streethouse Lane, Dobcross via their agent Roundhay Properties Ltd for the extinguishment of part of Footpath 185 Saddleworth (part) which was situated on their land, under Section 118 of the Highways Act 1980. A diversion was

originally proposed together with the diversion of part of Footpath 118 Saddleworth. However following discussions with the Peak and Northern Footpath Society, it was considered that the proposed diversion detailed in the report would be more appropriate diversion route. The applicant proposed a diversion within the boundaries of their land which was significantly more direct, with improved connectivity to Footpaths 117 & 181 Saddleworth and would negate the use of the footbridge on the current route which was in a poor state of repair. Users of the diverted route would not be deterred from using the route, which could occur if using the existing alignment as it passed between property and buildings at Mount Sorrel.

Options considered:

Option 1: to approve the recommendation.

Option 2: not to approve the recommendation.

RESOLVED that, as per the recommendation, the Public Path Diversion and Definitive Map and Statement Modification Order for Footpath 185 Saddleworth (part) be approved under section 119 of the Highways Act 1980 and section 53A of the Wildlife and Countryside Act 1981.

The meeting started at 5.30 pm and ended at 6.44 pm

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Report to TRO Panel

Representations to Proposed Disabled Persons Parking Places Order – Various Locations

Portfolio Holder:

Councillor A Chadderton, Cabinet Member for Neighbourhoods

Officer Contact: Deputy Chief Executive – People and Place

Report Author: Andrew Cowell, Traffic Engineer
Ext. 4377

16 June 2022

Reason for Decision

The purpose of this report is to consider all representations received to the introduction of disabled persons parking places at various locations in the Borough.

Recommendation

It is recommended that the proposed disabled persons parking places are introduced in accordance with the schedule in the original report except for the bays at Harper Street, South Hill Street, Albany Street, Kilburn Street and John Knott Street.

Representations to Proposed Disabled Persons Parking Places Order – Various Locations**1 Background**

- 1.1 A report recommending the introduction of 25 disabled persons parking places at various locations in the Borough was approved under delegated powers on 16 December 2021. The proposal was subsequently advertised and several representations were received.
- 1.2 A copy of the approved report is attached at Appendix A and a copy of the representations are attached at Appendix B.

2 Representations

- 2.1 Representations were received in relation to the 5 proposed parking places below.
- 38 Harper Street, Oldham
 - 10/12 South Hill Street, Oldham
 - 15 Albany Street, Oldham
 - 3 Kilburn Street, Oldham
 - John Knott Street, Lees (Rear of 112 St. John Street)
- 2.2 The Council were informed that the applicant at Harper Street had sadly passed away. Therefore, this proposed parking place will be removed from the scheme.
- 2.3 The Council were informed that the applicant at South Hill Street had off-street parking. This was verified by inspection. Residents with access to an off-street parking facility do not qualify for a disabled parking place. Therefore, this proposed parking place will be removed from the scheme. The applicant has been informed.
- 2.4 The Council were informed by the applicant at Albany Street that they intend to sell the property and therefore no longer require the proposed parking place.
- 2.5 Two letters of objection were received to the proposed parking place at Kilburn Street. In summary the objectors state that as the bay will extend across their frontage this will make their property unsaleable. They also state that the bay is not required as the applicant's car is always parked outside their own house. The neighbours are respectful and don't park in that space.
- The Panel should consider whether or not to introduce this parking place based on the objectors' comments.
- 2.6 Six letters of objection were received to the proposed parking place at John Knott Street. In summary, the objectors state that:
- the proposed location for the sign/post is private land

-
- the bay would be better located on St John Street
 - there are few on-street spaces and the length of the bay would reduce the availability of spaces further
 - the location breaches Rule 243 of the Highway Code which states DO NOT stop or park opposite or within 10 meters of a junction.
 - a number of deliveries have been turned away when vehicles have parked close to the double yellow lines on John Knott Street
 - concerns over emergency vehicle access
 - existing problems with waste disposal vehicles unable to gain access
 - the narrow road width is not suitable for a disabled person to access a vehicle

In light of the objections and in particular the concerns over the proximity of the bay to the junction and the difficulty in positioning a sign and pole, we support its removal from the scheme and for an alternative location to be found. The applicant would be informed accordingly.

3 **Options/Alternatives**

3.1 Option 1 – Do not introduce the disabled persons parking places on Harper Street, South Hill Street, Albany Street, and John Knott Street but introduce the proposed disabled persons parking place on Kilburn Street.

3.2 Option 2 – Do not introduce the disabled persons parking places on Harper Street, South Hill Street, Albany Street, Kilburn Street and John Knott Street

4 **Preferred Option**

4.1 The preferred option is Option 1.

5 **Consultation**

5.1 These were detailed with in the previous report.

6 **Comments Of Medlock Vale / Werneth / Alexandra / St Mary's / Waterhead / Saddleworth West and Lees / St James' / Coldhurst / Royton South / Chadderton Central Ward Councillors**

6.1 The Ward Councillors have been consulted again and Councillor Birch supports Option 1.

7 **Financial Implications**

7.1 These were dealt with in the previous report.

8 **Legal Services Comments**

8.1 These were dealt with in the previous report.

9 **Co-operative Agenda**

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- 9.1 In respect of introducing the proposed disabled persons parking places, there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.
- 10 **Human Resources Comments**
- 10.1 None.
- 11 **Risk Assessments**
- 11.1 None.
- 12 **IT Implications**
- 12.1 None.
- 13 **Property Implications**
- 13.1 None.
- 14 **Procurement Implications**
- 14.1 None.
- 15 **Environmental and Health & Safety Implications**
- 15.1 These were dealt with in the previous report.
- 16 **Equality, community cohesion and crime implications**
- 16.1 These were dealt with in the previous report.
- 17 **Equality Impact Assessment Completed?**
- 17.1 No
- 18 **Key Decision**
- 18.1 No.
- 19 **Key Decision Reference**
- 19.1 Not applicable.
- 20 **Background Papers**
- 20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:
- None.

-
- 21 **Appendices**
- 21.1 Appendix A – Approved Mod Gov Report
Appendix B - Copy of Representations

APPENDIX A

APPROVED MOD GOV REPORT

Delegated Decision

Proposed Disabled Persons Parking Places Order – Various Locations

Report of: Deputy Chief Executive, People and Place

Officer contact: Andrew Cowell, Traffic Engineer
Ext. andy.cowell@unitypartnership.com

19 November 2021

Reason for Decision

The purpose of the report is to seek approval to implement disabled persons parking places at various locations around the Borough.

Recommendation

It is recommended that the proposed disabled bays detailed in the Schedule at the end of the report be introduced.

Proposed Disabled Persons Parking Places Order – Various Locations

1 Background

- 1.1 Oldham Highways receives approximately 70 applications annually for on-street disabled parking places from disabled residents who have difficulty parking close to their property due to the presence of parked vehicles. It was considered by Oldham Highways Traffic Management Team that due to the number of requests received that suitable criteria be adopted by the Cabinet Member for consideration of applications and funding secured to implement successful applications. The criteria has recently been updated and further funding secured to introduce a limited number of bays in 2021.
- 1.2 The first Tranche of applications have now been processed, locations inspected and a list of 25 successful applicants determined. Applicants that do not qualify under the Council's criteria have been notified in writing.
- 1.3 A second Report will follow in the New Year that will request the approval of the successful applications contained within remaining backlog of 82. This will form Tranche 2 of the current proposal.
- 1.4 The criteria can be found in the Guidance Notes in Appendix 1.

2 Options/Alternatives

- 2.1 Option 1: To approve the recommendation.
- 2.2 Option 2: Not to approve the recommendation.

3 Preferred Option

- 3.1 The preferred option to approve is Option 1.

4 Justification

- 4.1 Many disabled residents have difficulty parking close to their properties due to the presence of parked vehicles. This can cause considerable stress and cause further physical suffering. It is considered that the only effective way to help disabled residents is to provide on-street disabled persons parking places near to their property. This will enable these residents easier access to their properties and improve their mobility and quality of life. It should be noted that any person displaying a blue badge can park within a disabled persons parking place.

4.2 In order to ensure that new on-street disabled parking spaces work effectively, a Traffic Regulation Order is implemented, so the facility can be enforced by the Council's Civil Enforcement Officers under decriminalised powers.

5 Consultations

5.1 G.M.P. View - The Chief Constable has been consulted and has no objection to this proposal.

5.2 T.f.G.M. View - The Director General has been consulted and has no comment on this proposal.

5.3 G.M. Fire Service View - The County Fire Officer has been consulted and has no comment on this proposal.

5.4 N.W. Ambulance Service View - The County Ambulance Officer has been consulted and has no comment on this proposal.

6 Comments Of Medlock Vale / Werneth / Alexandra / St Mary's / Waterhead / Saddleworth West and Lees / St James' / Coldhurst / Royton South / Chadderton Central Ward Councillors

6.1 The Ward Councillors have been consulted and the Chadderton Central ward councillors are happy to support the proposed introduction of disabled parking space at Bexhill Walk.

7 Financial Implications

7.1 This proposal will see the introduction of 25 disabled parking bays across the Borough. The cost of this proposal is shown below:

	£
Advertising Costs	3,000
Signs/Poles	10,000
Lining	7,000
TOTAL	20,000
Annual Maintenance Costs (calculated October 2021)	2,400

7.2 The advertising and road marking/signage costs of £20,000 will be funded from the Highways Operations – Unity budget.

7.3 The annual maintenance costs estimated at £2,400 per annum will be met from the Highways Operations budget. If there are pressures in this area as the financial year progresses, the Directorate will have to manage its resources to ensure that there is no adverse overall variance at the financial year end.

(Nigel Howard)

8 Legal Services Comments

- 8.1 Section 32 (1)(b) of the Road Traffic Regulation Act 1984 gives local authorities the power by order to authorise the use as a parking place of any part of a road within their area. It must appear to the Council that the parking places are necessary for the purpose of relieving or preventing congestion of traffic. Under section 35 of the Act, the Council may impose restrictions on the use of the parking places and in particular, the vehicles which may be permitted to use them.
- 8.2 In addition to the above, under section 122 of the Act, it shall be the duty of the Council so to exercise the functions conferred on them by the Act as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Regard must also be had to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run, the strategy produced under section 80 Environmental Protection Act 1990 (the national air quality strategy), the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles and any other matters appearing to the Council to be relevant. (A Evans)

9 Co-operative Agenda

- 9.1 In respect of the provision of Disabled Persons Parking Places, there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

10 Human Resources Comments

- 10.1 None.

11 Risk Assessments

- 11.1 None.

12 IT Implications

- 12.1 None.

13 Property Implications

- 13.1 None.

14 Procurement Implications

14.1 None.

15 **Environmental and Health & Safety Implications**

15.1 Energy – Nil.

15.2 Transport – Nil.

15.3 Pollution – Nil.

15.4 Consumption and Use of Resources – Nil.

15.5 Built Environment - Minor alteration to visual appearance of area.

15.6 Natural Environment – Nil.

15.7 Health and Safety – Nil.

16 **Equality, community cohesion and crime implications**

16.1 The provision of disabled parking places will ease concerns for disabled residents but the facilities may effect community cohesion due to the reduction in on-street parking that will result.

17 **Equality Impact Assessment Completed?**

17.1 No.

18 **Key Decision**

18.1 No.

19 **Key Decision Reference**

19.1 Not applicable.

20 **Background Papers**

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

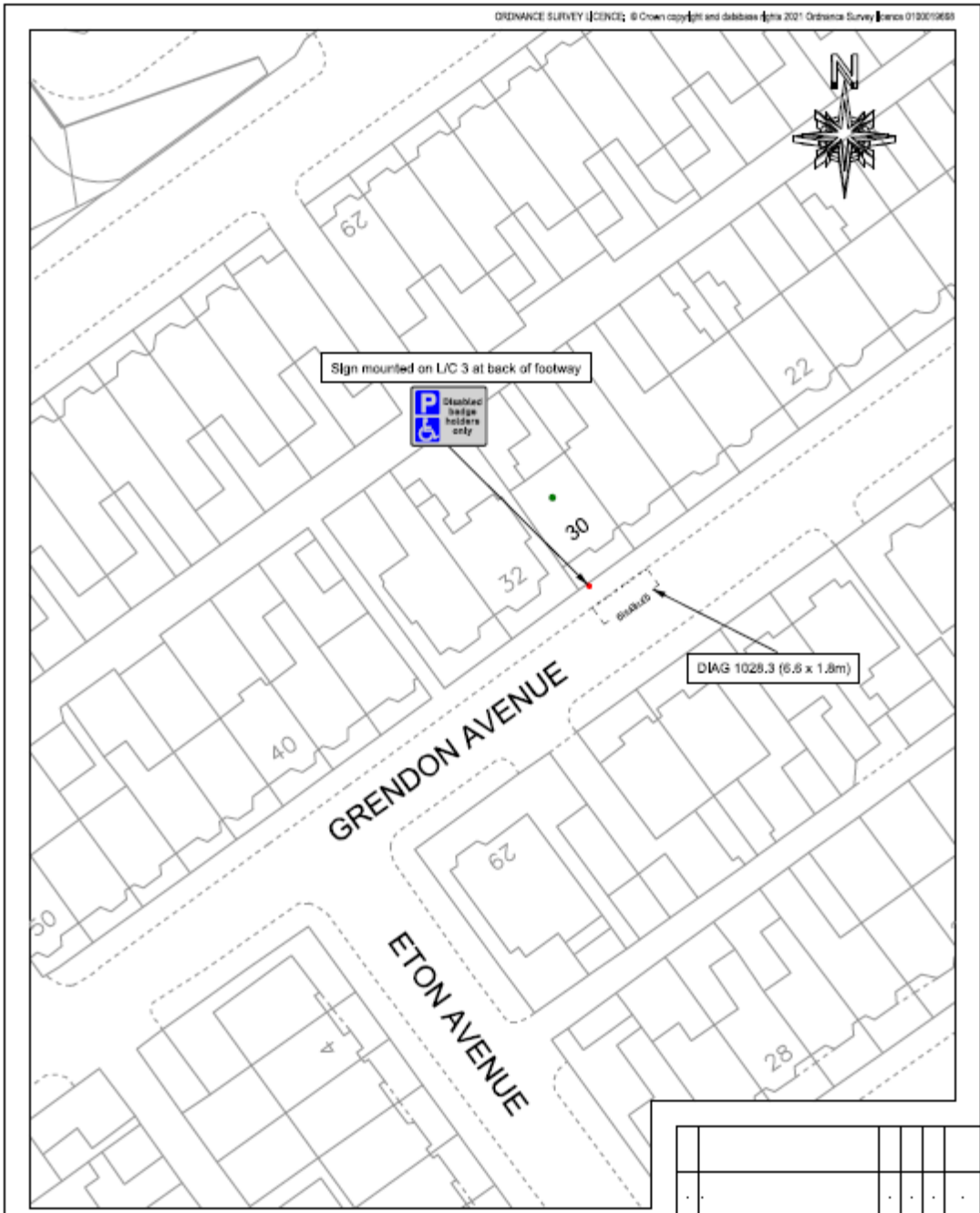
None.

21 **Appendices**

21.1 Appendix 1 – Guidance Notes

22 **Proposal**

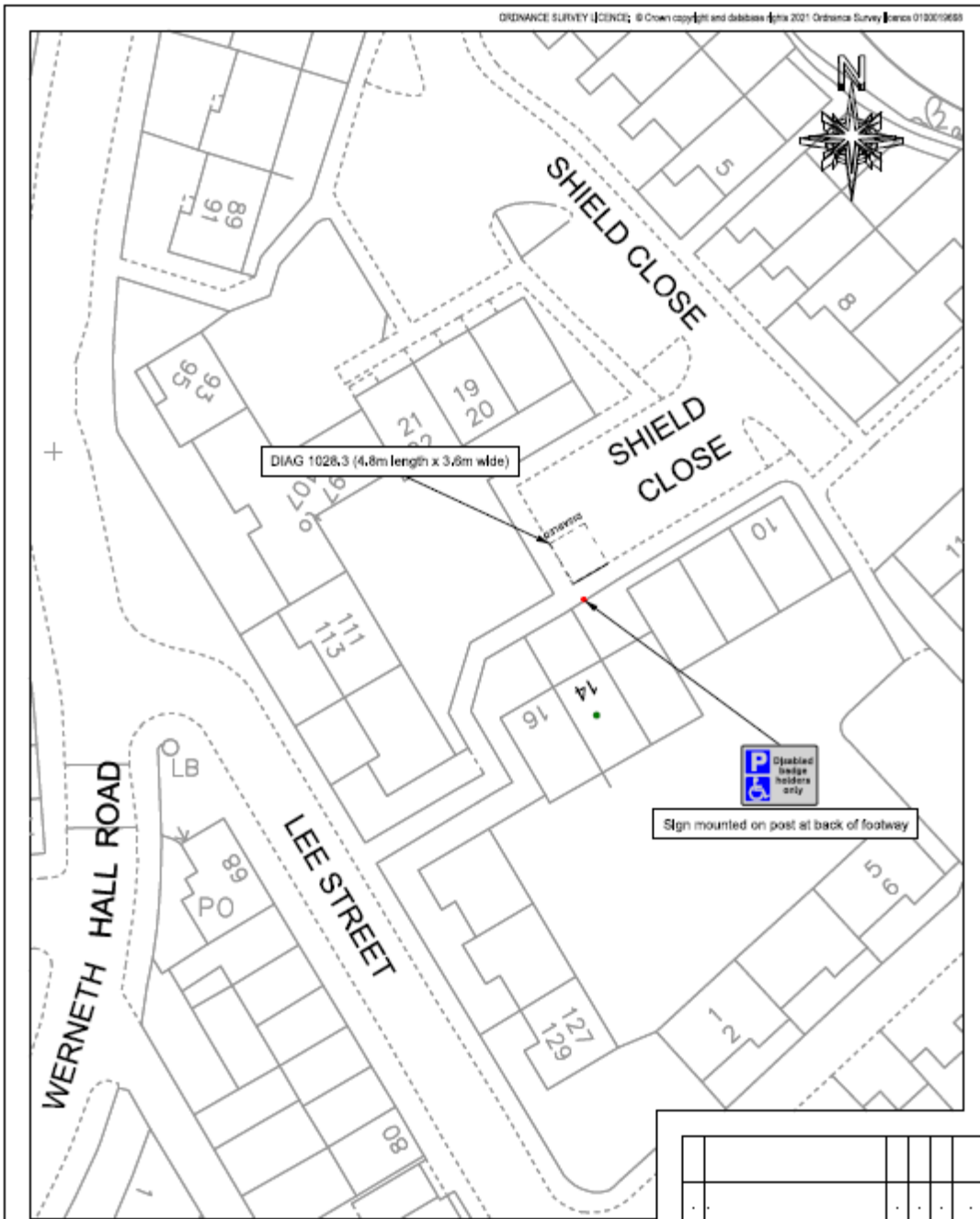
22.1 It is proposed to introduce disabled persons' parking places, in accordance with the schedule below:



Rev	Revision details	By	CHK	Appr	Date

	Client: Oldham MBC		Title: ADDRESS: 30 Grendon Avenue, Oldham
	Project: Provision of Disabled Parking Spaces File Ref: 799 - Phase 9		
HIGHWAYS & ENGINEERING Henshaw House, Chesapeake, Oldham OL1 1NY	Drawn by: AC	Date: 09-21	Purpose of Issue: Information Scale at A4 size: 1:500
	Checked by: SR	Date: 09-21	
	Approved by: GS	Date: 09-21	
Drawing No.: 47/A4/1643/1		Rev.:	

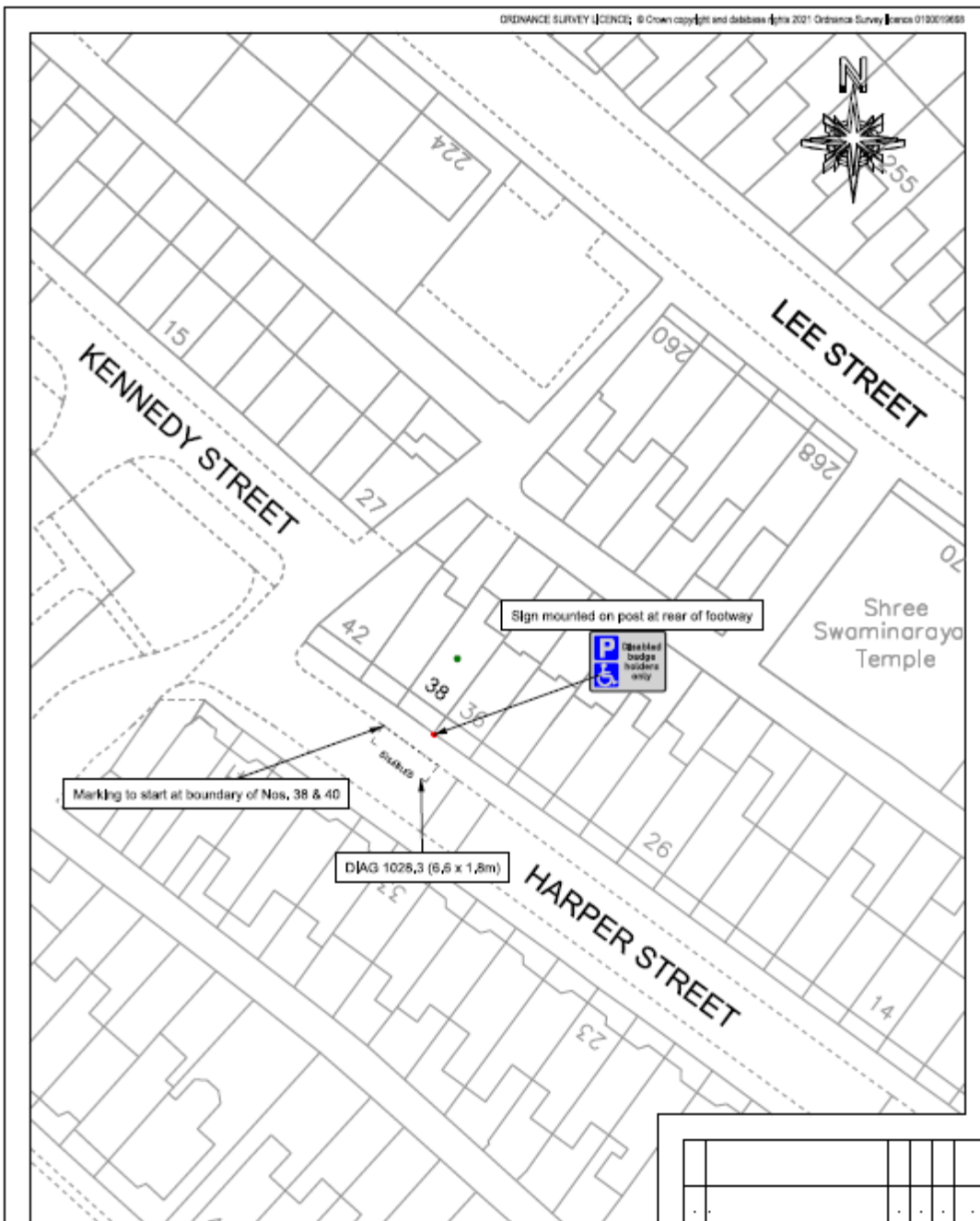
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Rev	Revision details	by	chk	date

<p>HIGHWAYS & ENGINEERING Henshaw House, Chesapeake, Oldham OL1 1NY</p>	Client Oldham MBC		Project Provision of Disabled Parking Spaces File Ref: 799 - Phase 9	Title ADDRESS: 14 Shield Close, Oldham	
	Drawn by AC	Date 09-21		Purpose of Issue Information	Drawing No. 47/A4/1643/2
	Checked by SR	Date 09-21	Scale at A4 size 1:500	Rev.	
	Approved by GS	Date 09-21			

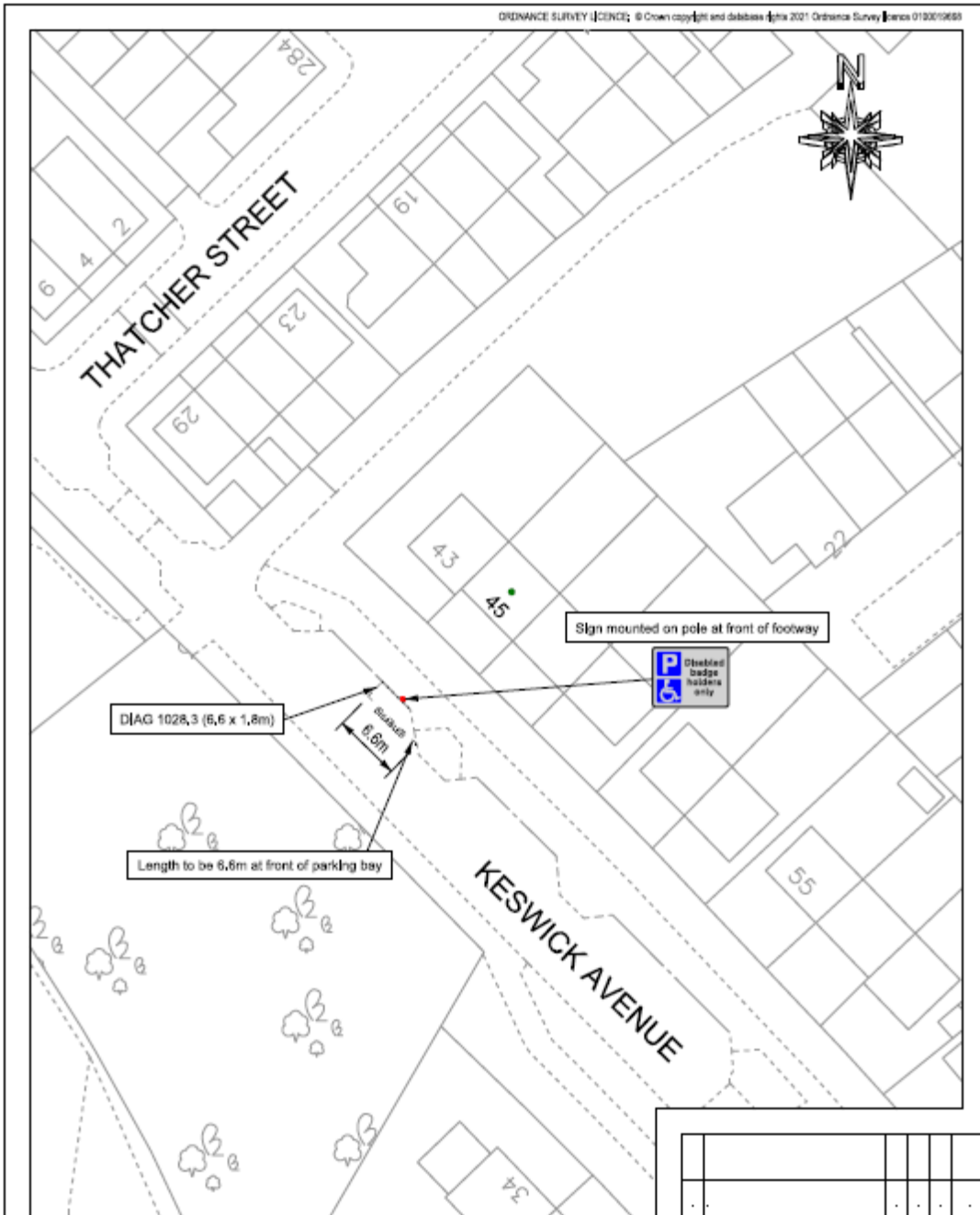
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Rev	Revision details	By	Chk	App	Date

<p>HIGHWAYS & ENGINEERING Henshaw House, Chesapeake, Oldham OL1 1NY</p>	Client Oldham MBC		Project Provision of Disabled Parking Spaces File Ref: 799 - Phase 9	Title ADDRESS: 38 Harper Street, Oldham
	Drawn by AC	Date 08-21		
	Checked by SR	Date 09-21	Scale at A4 size 1:500	
	Approved by GS	Date 09-21	Drawing No. 47/A4/1643/3	

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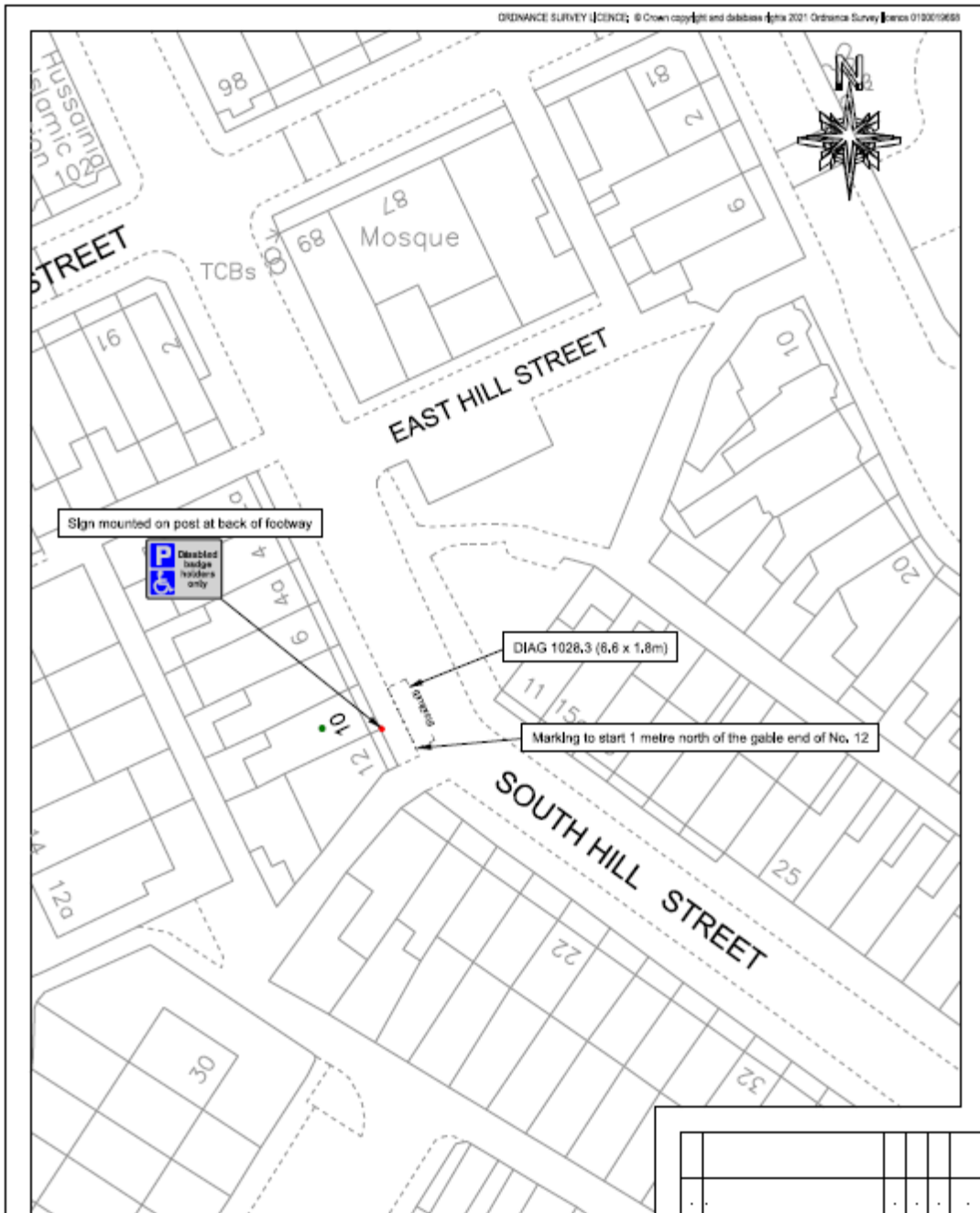
Unitypartnership

HIGHWAYS & ENGINEERING
Henshaw House, Chesapeake, Oldham OL1 1NY

Client		Oldham MBC	
Project			
Provision of Disabled Parking Spaces File Ref: 799 - Phase 9			
Drawn by	Date	Purpose of Issue	
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Checked by	Date	Scale at A4 size	
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Approved by	Date		
GS	09-21		

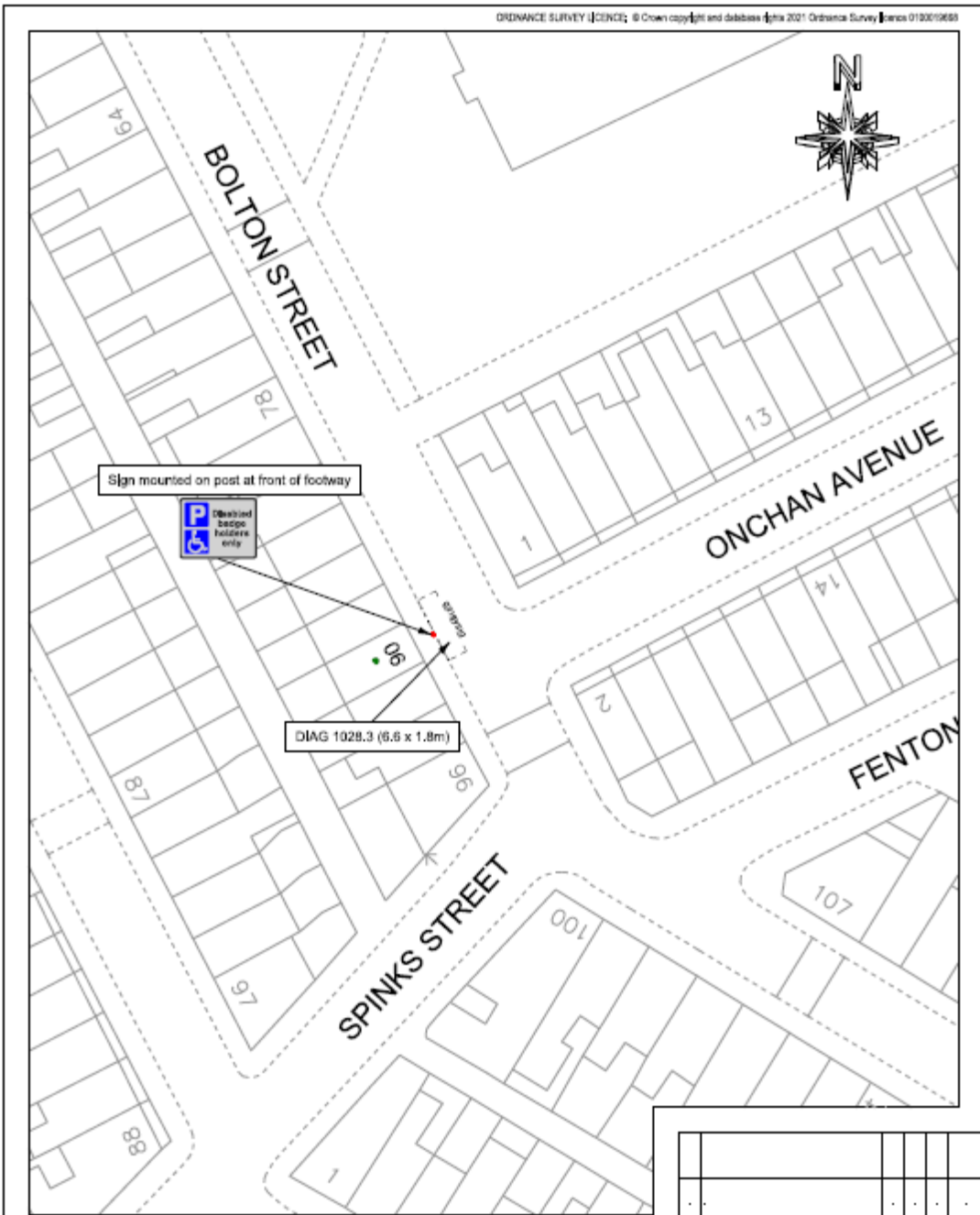
Rev	Revision details	by	CHK	APP	Date
Title					
ADDRESS: 45 Keswick Avenue, Oldham					
Drawing No.					Rev.
47/A4/1643/4					1

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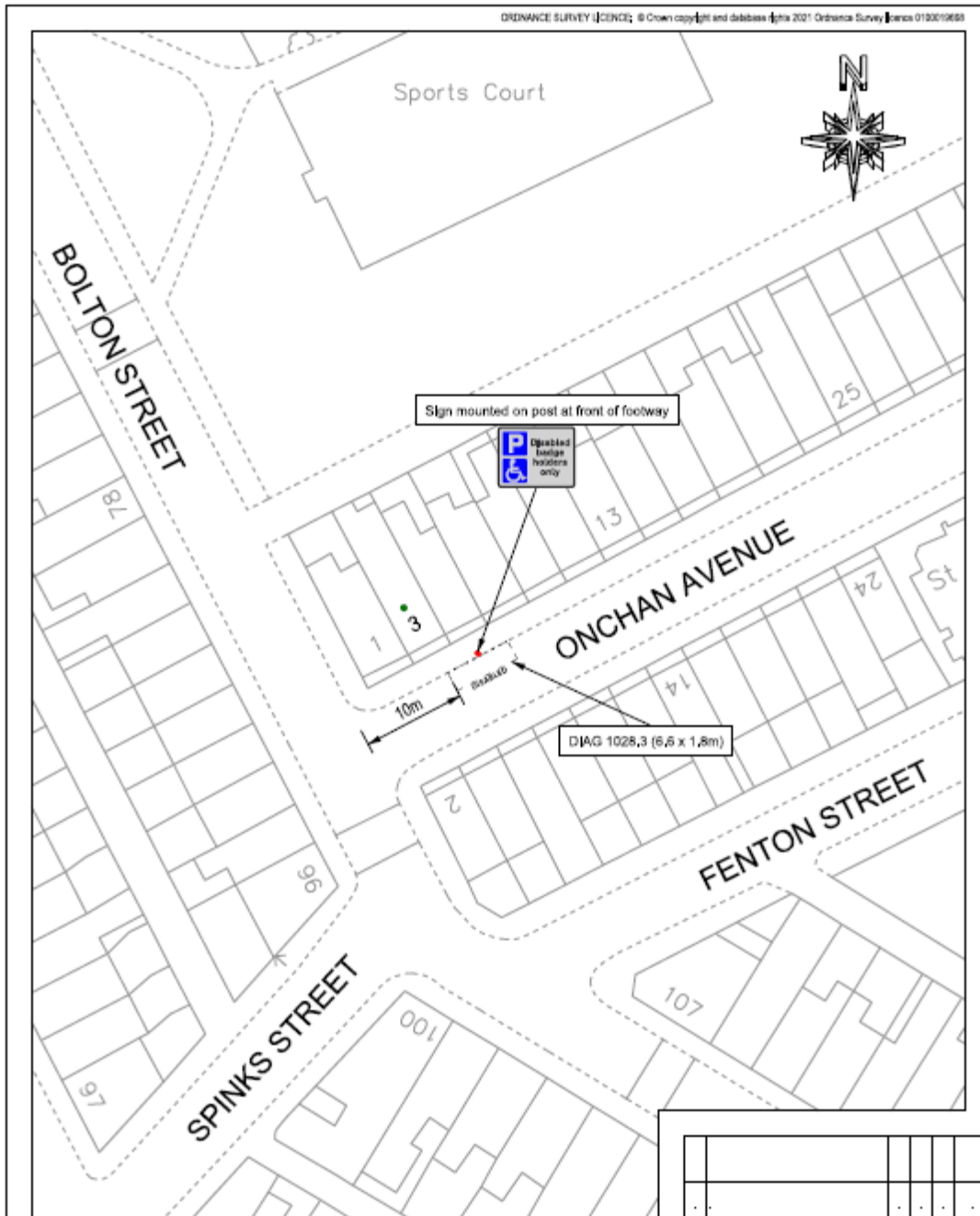
	Client: Oldham MBC		Revision details: <table border="1"><tr><th>Rev</th><th>By</th><th>Date</th></tr><tr><td> </td><td> </td><td> </td></tr></table>	Rev	By	Date			
	Rev	By		Date					
Project: Provision of Disabled Parking Spaces File Ref: 799-Phase 9		ADDRESS: 10 South Hill Street, Oldham							
HIGHWAYS & ENGINEERING Henshaw House, Chesapeake, Oldham OL1 1NY	Drawn by: AC Date: 09-21	Purpose of Issue: Information							
	Checked by: SR Date: 09-21	Scale at A4 size: 1:500							
	Approved by: GS Date: 09-21	Drawing no.: 47/A4/1643/5							

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	Client Oldham MBC		Revision details Rev. No. Description By Date	
	Project Provision of Disabled Parking Spaces File Ref: 799 - Phase 9			
	Drawn by AC	Date 09-21		Purpose of Issue Information
	Checked by SR	Date 09-21		Scale at A4 Size 1:500
HIGHWAYS & ENGINEERING Henshaw House, Chesopside, Oldham OL1 1NY	Approved by GS Date 09-21	ADDRESS: 90 Bolton Street, Oldham	Drawing No. 47/A4/1643/7	

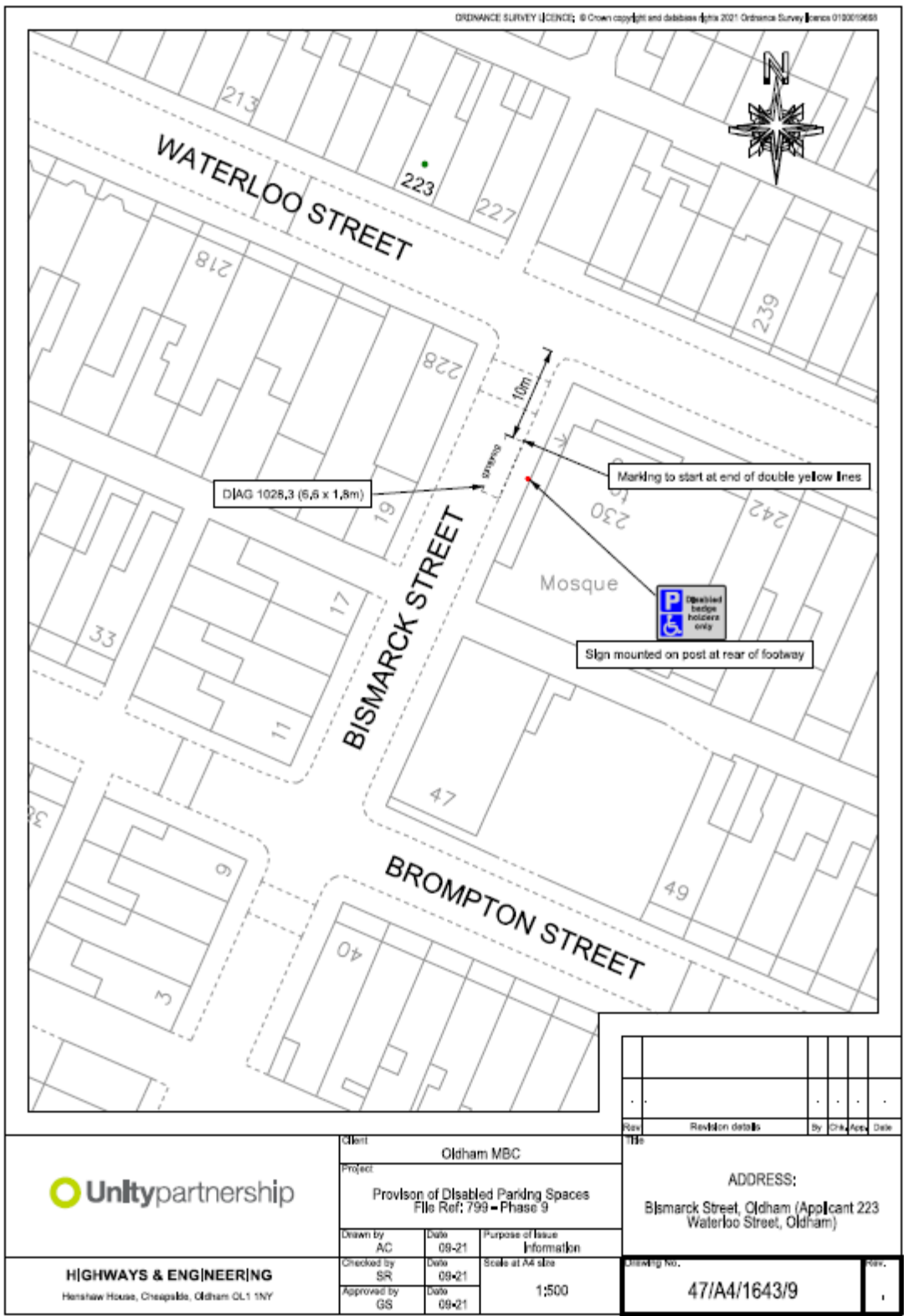
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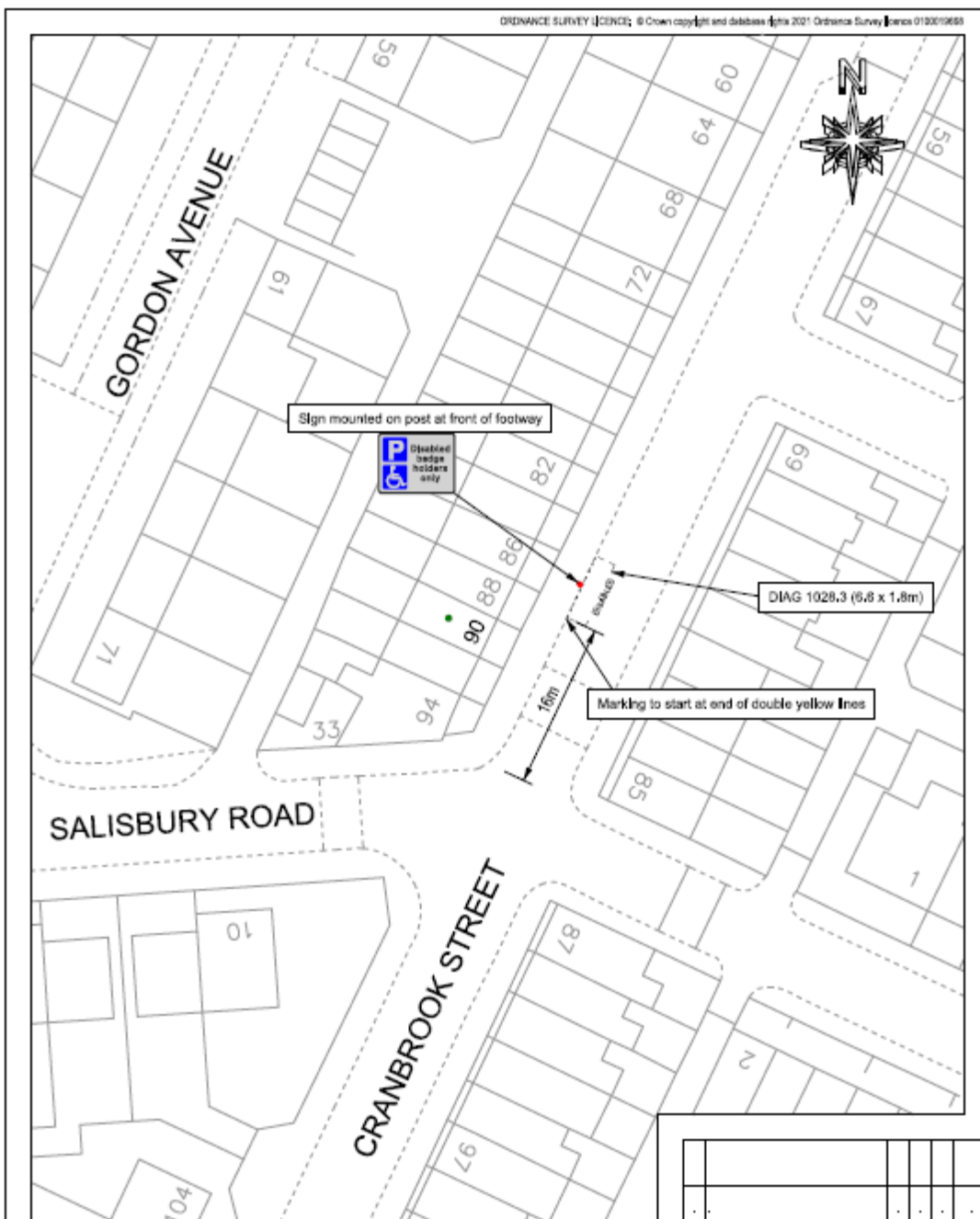
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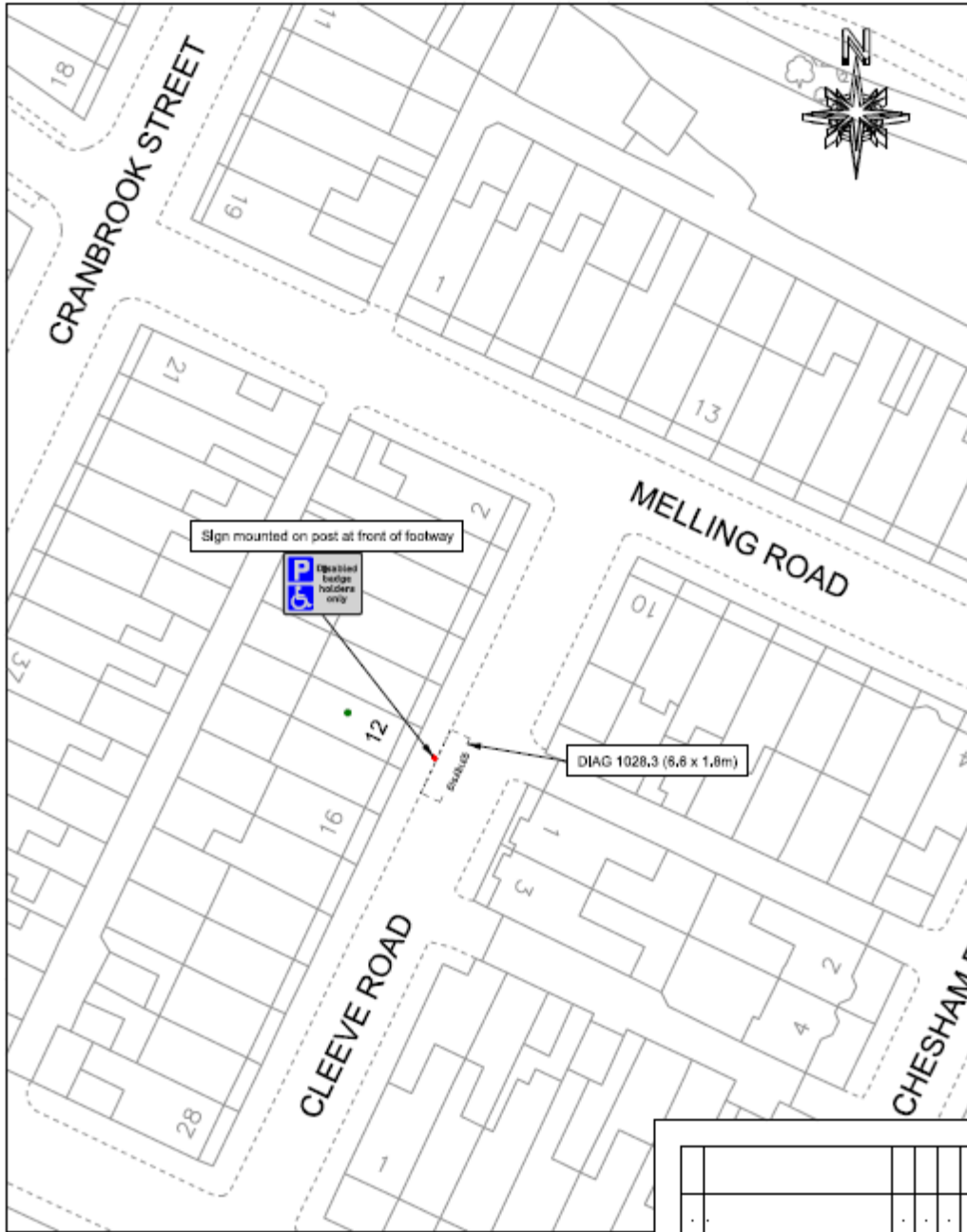
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Purpose of Issue Information		Scale at A4 Size 1:500	Rev. .

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	Project: Provison of Disabled Parking Spaces File Ref: 799 - Phase 9			
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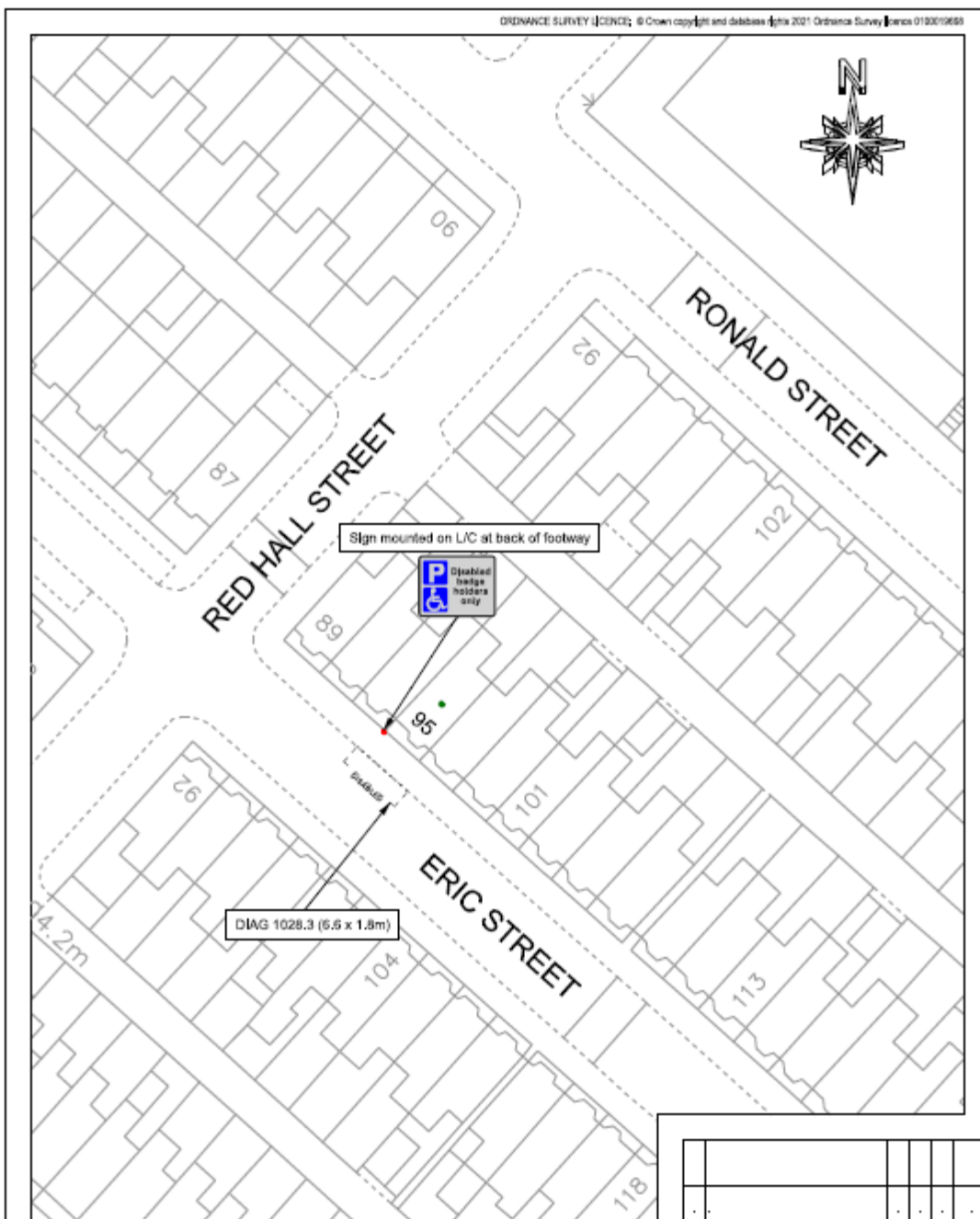
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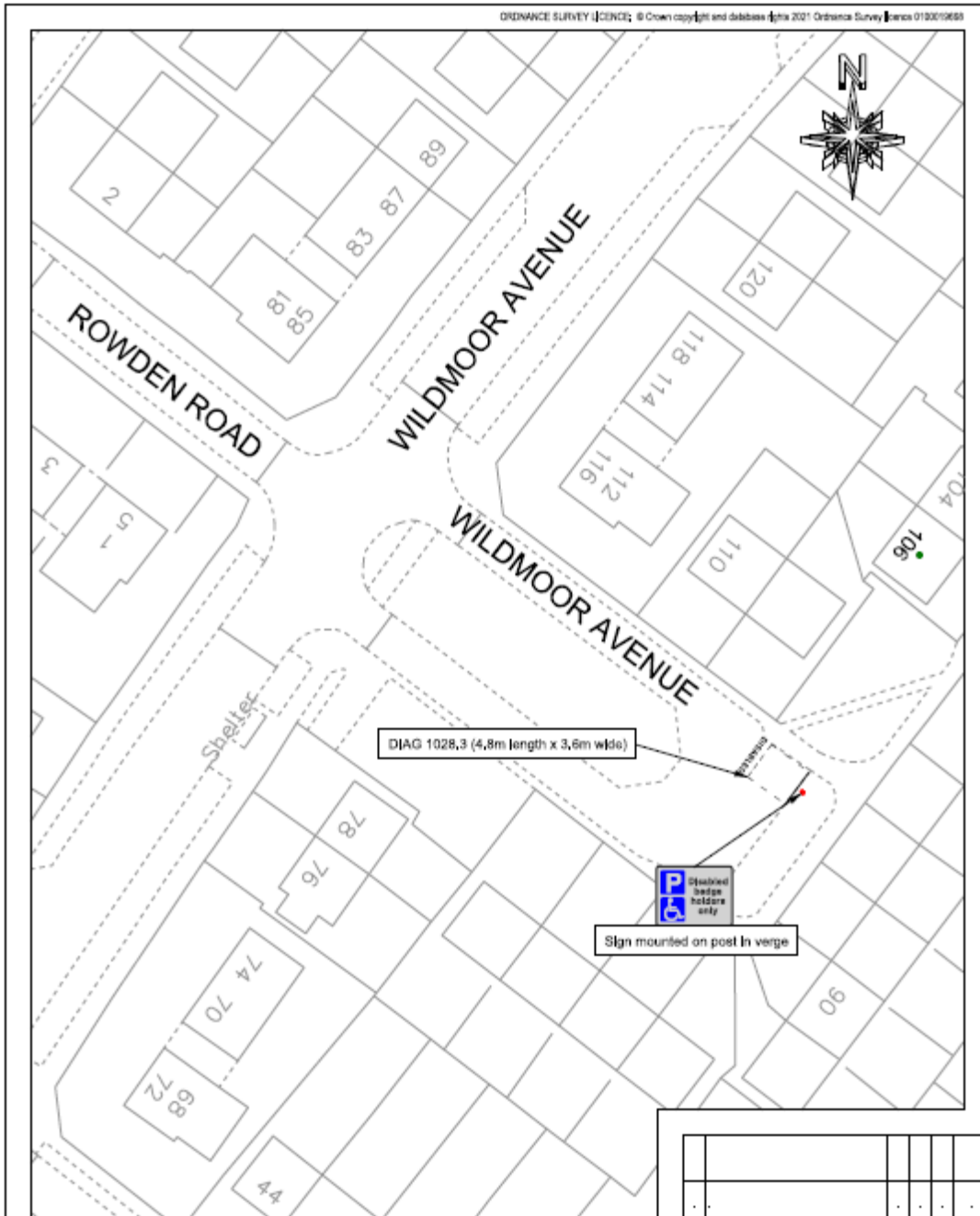
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HIGHWAYS & ENGINEERING Henshaw House, Cheapside, Oldham OL1 1NY	Drawn by AC	Date 09-21	Purpose of Issue Information
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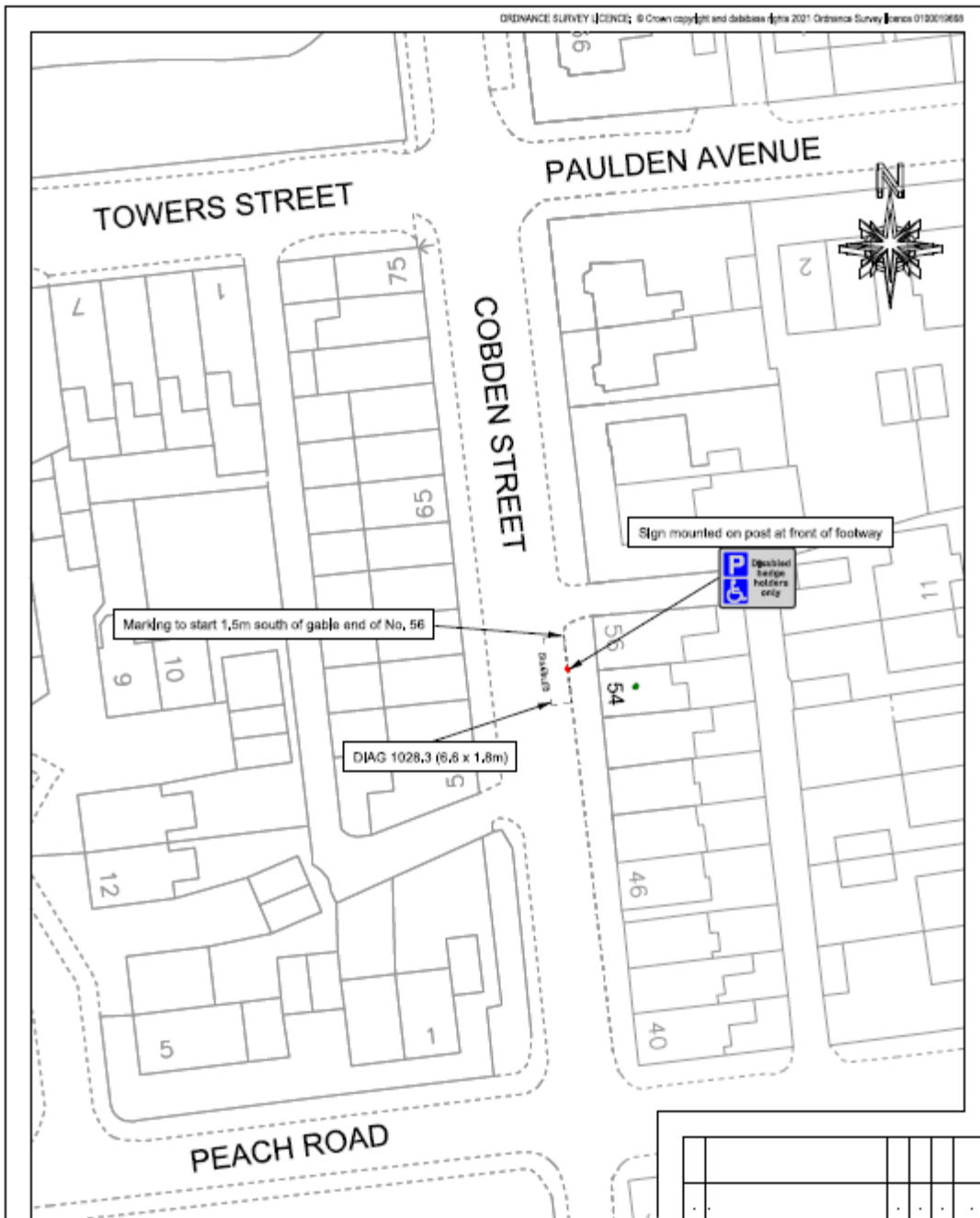
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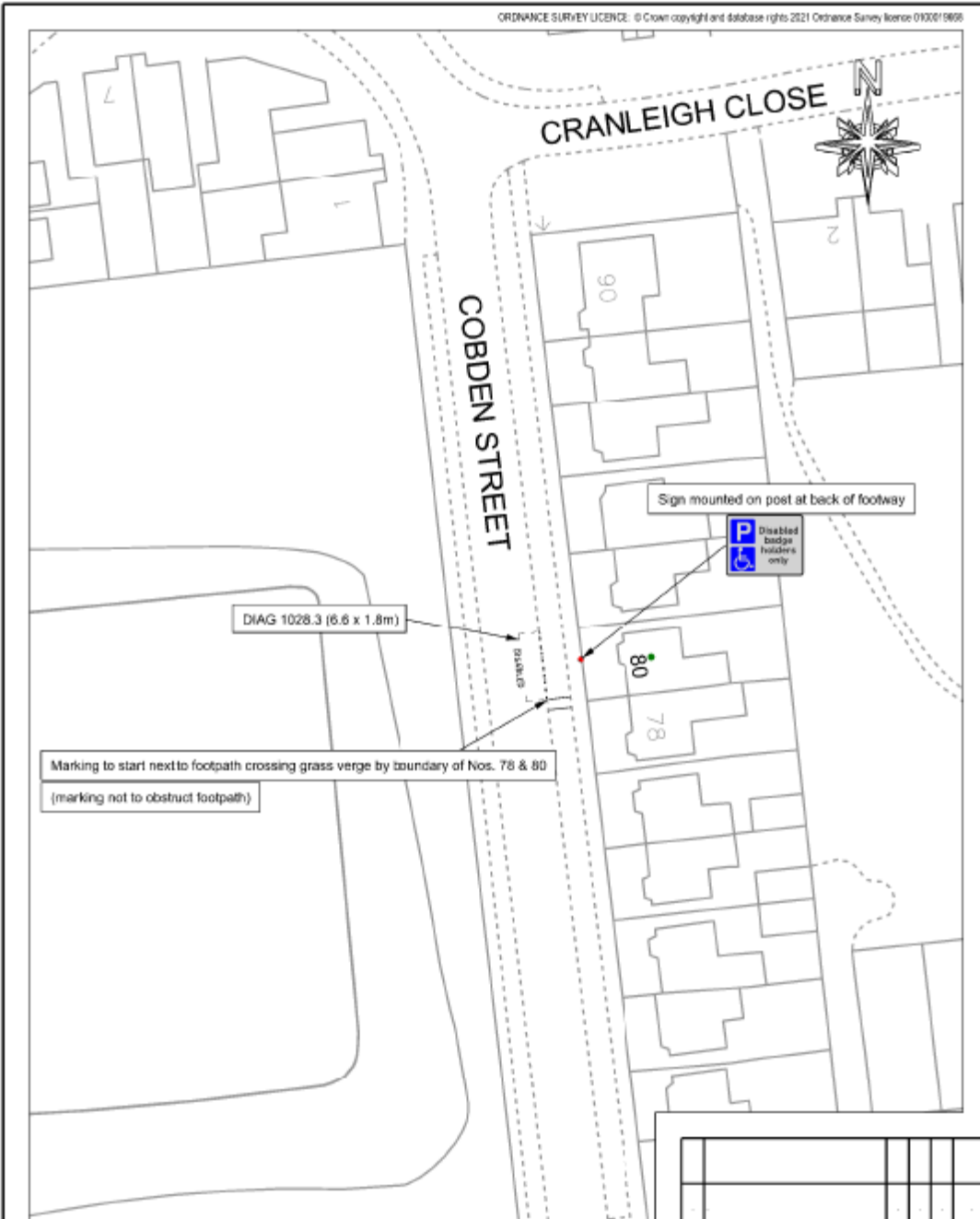
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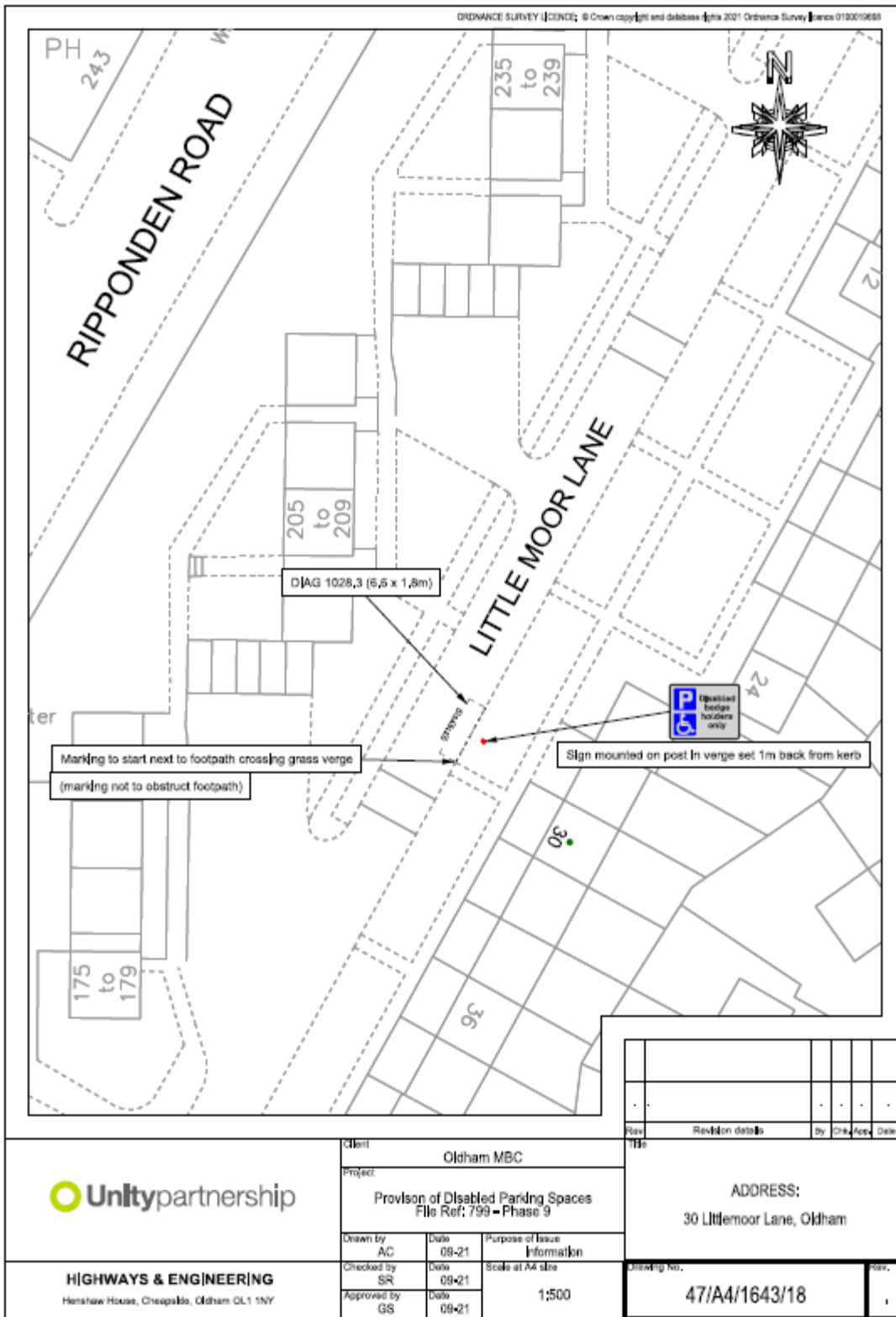
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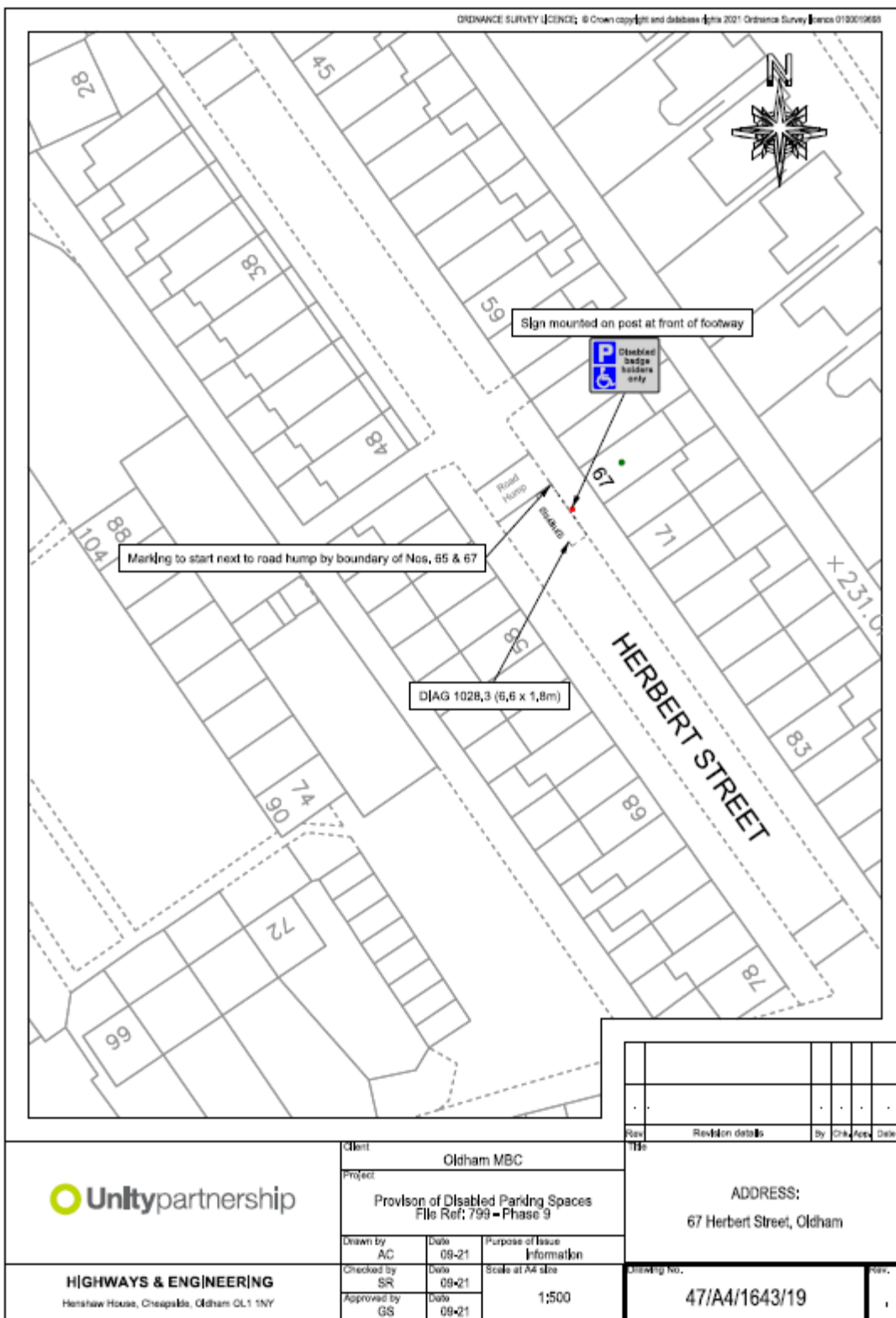


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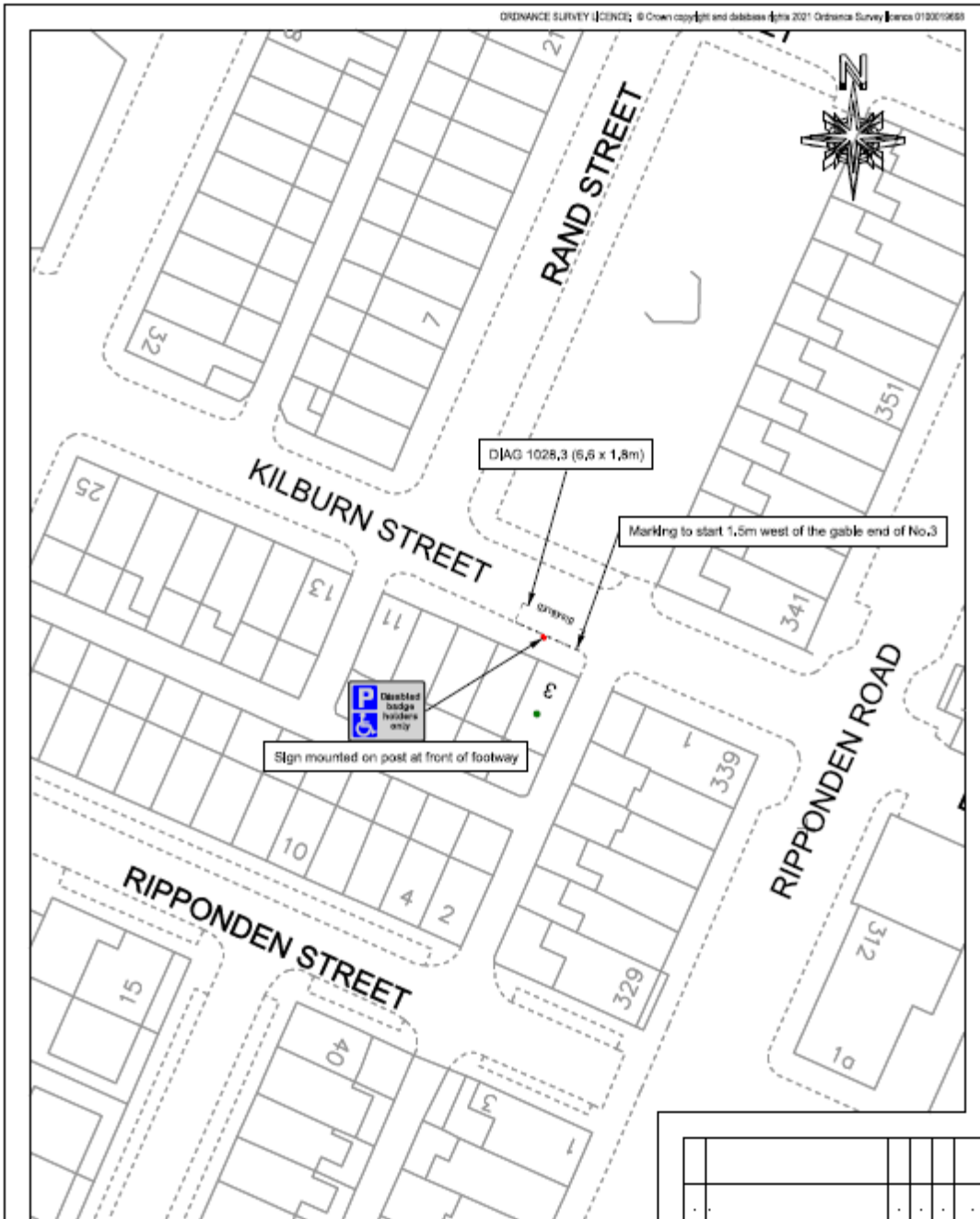




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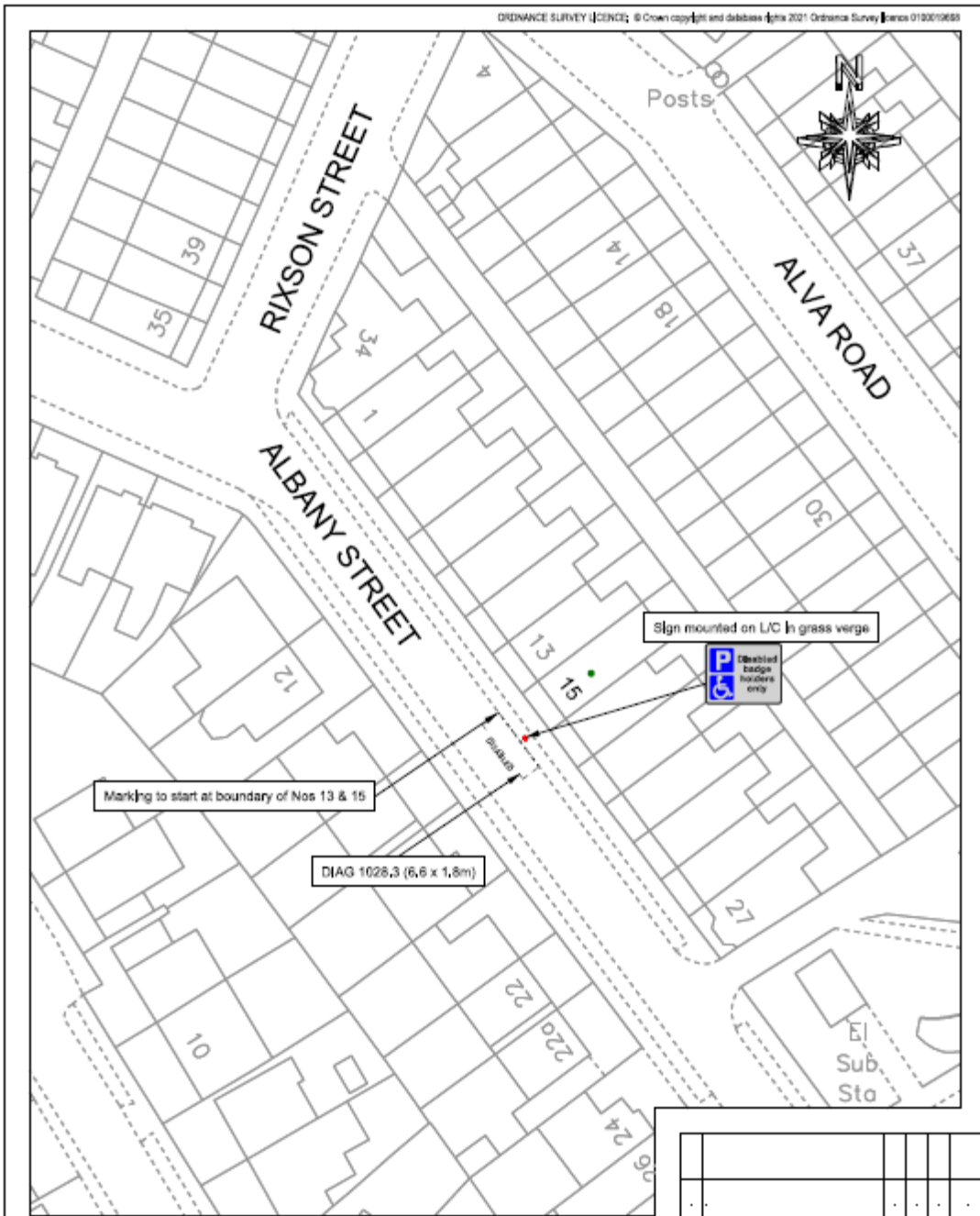
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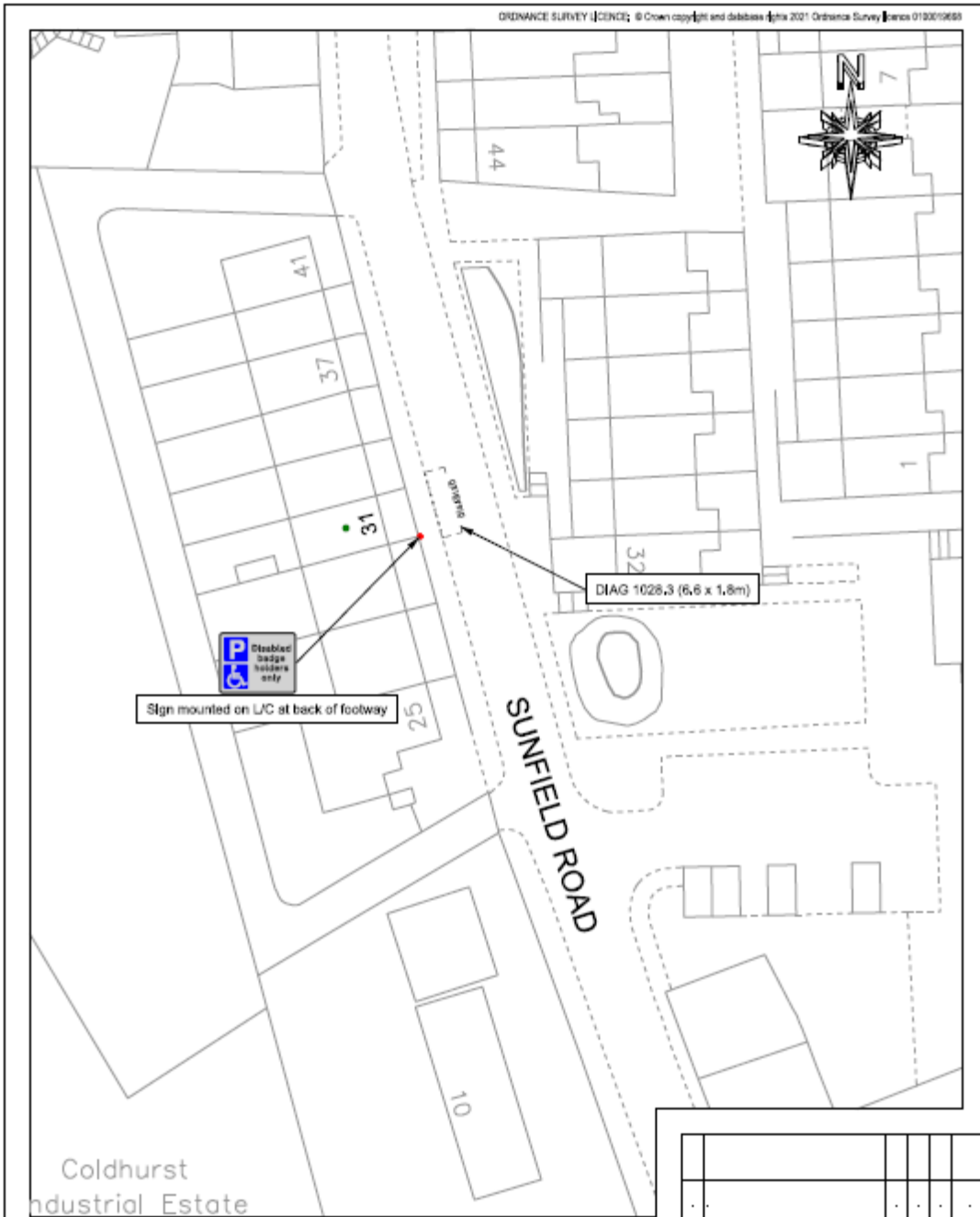
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Rev	Revision details	By	CHK	Appr	Date

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Coldhurst Industrial Estate

Rev	Revision details	By	CHK	Appv	Date

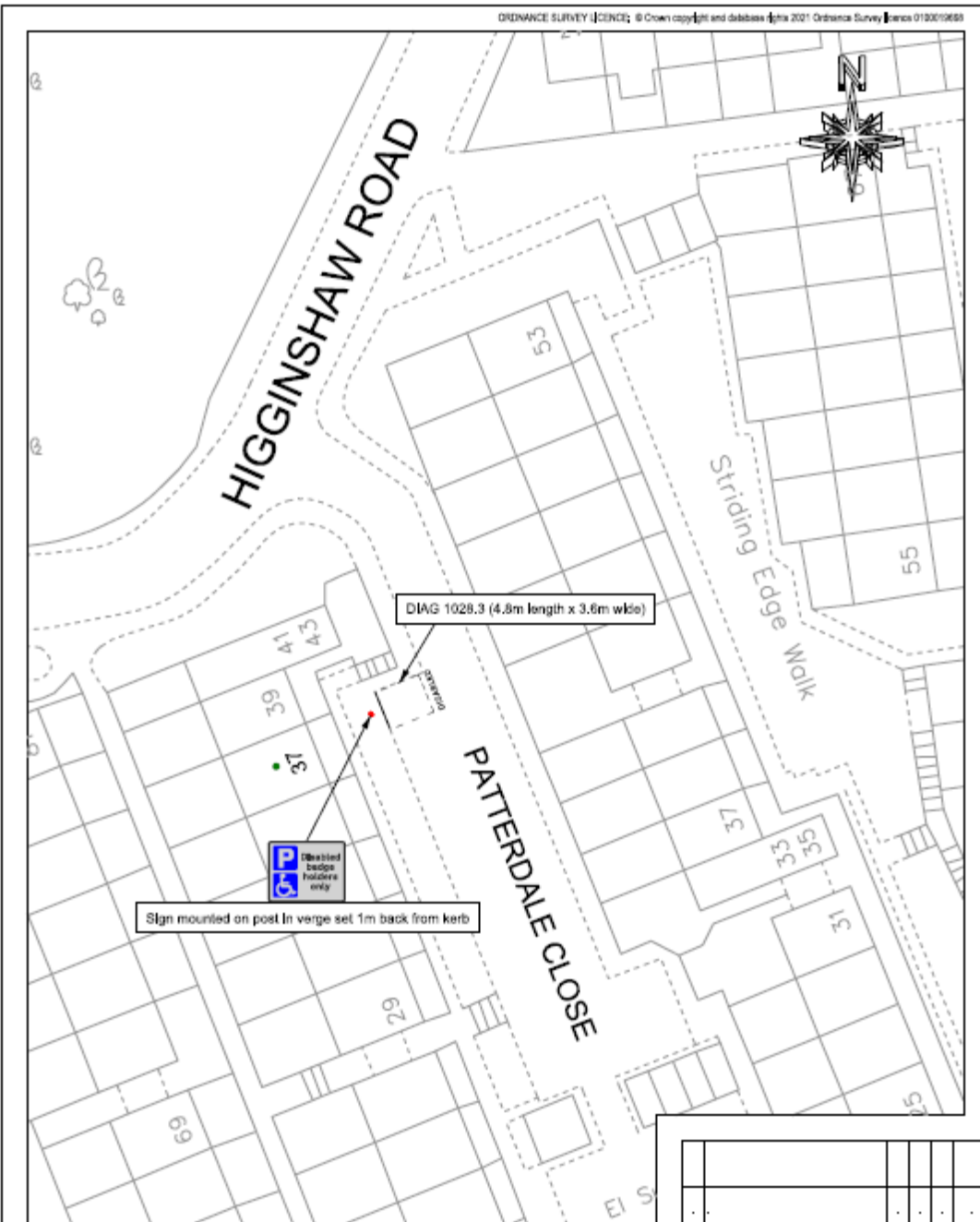
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HIGHWAYS & ENGINEERING
Henshaw House, Chesapeake, Oldham OL1 1NY

Client		Oldham MBC	
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Drawn by	Date	Purpose of Issue	
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Checked by	Date	Scale at A4 size	
SR	09-21	1:500	
Approved by	Date		
GS	09-21		

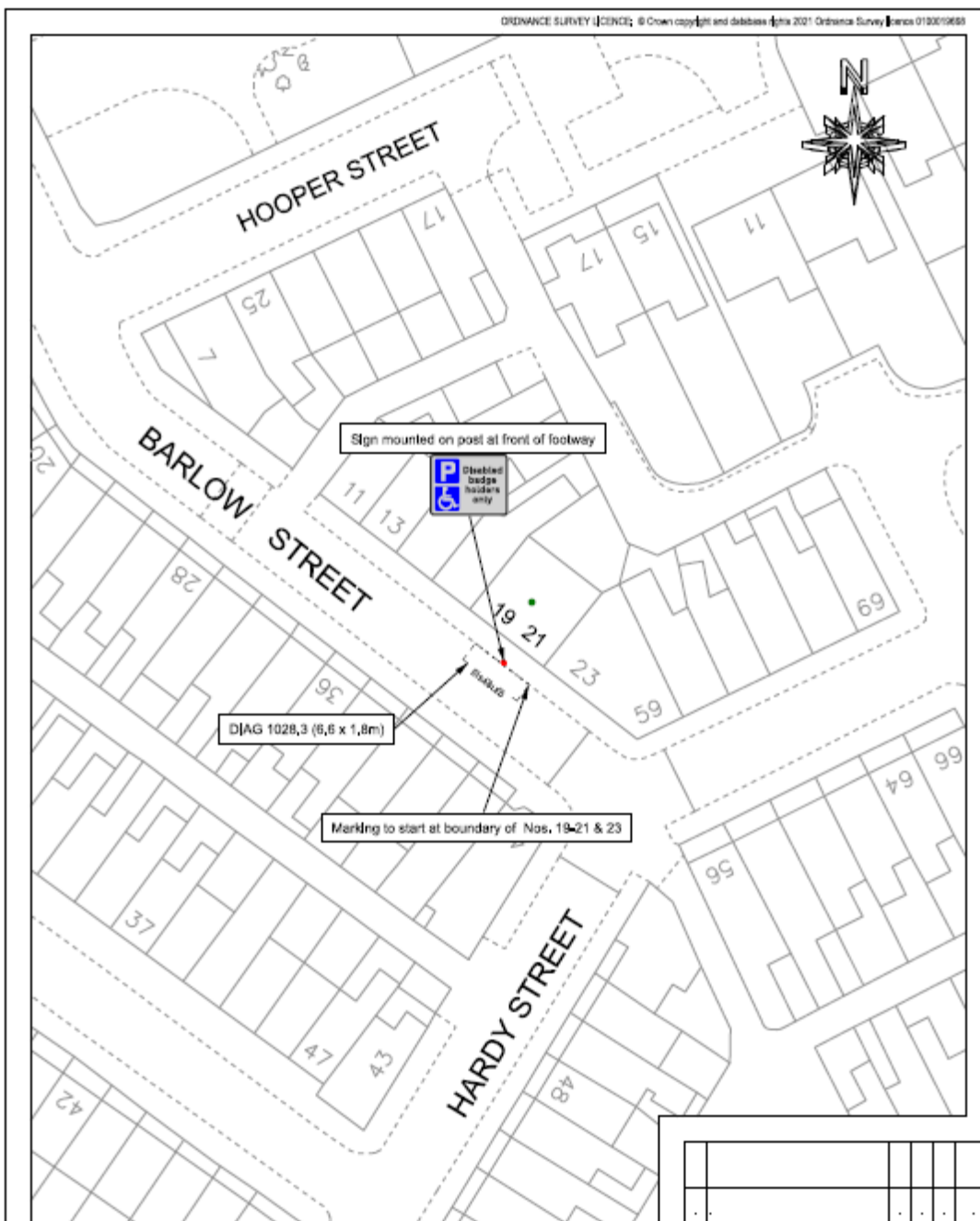
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	Project: Provision of Disabled Parking Spaces File Ref: 799 - Phase 9		
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HIGHWAYS & ENGINEERING
Henshaw House, Cheapside, Oldham OL1 1NY

Client Oldham MBC		
Project Provision of Disabled Parking Spaces File Ref: 799 - Phase 9		
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Approved by GS	Date 09-21	

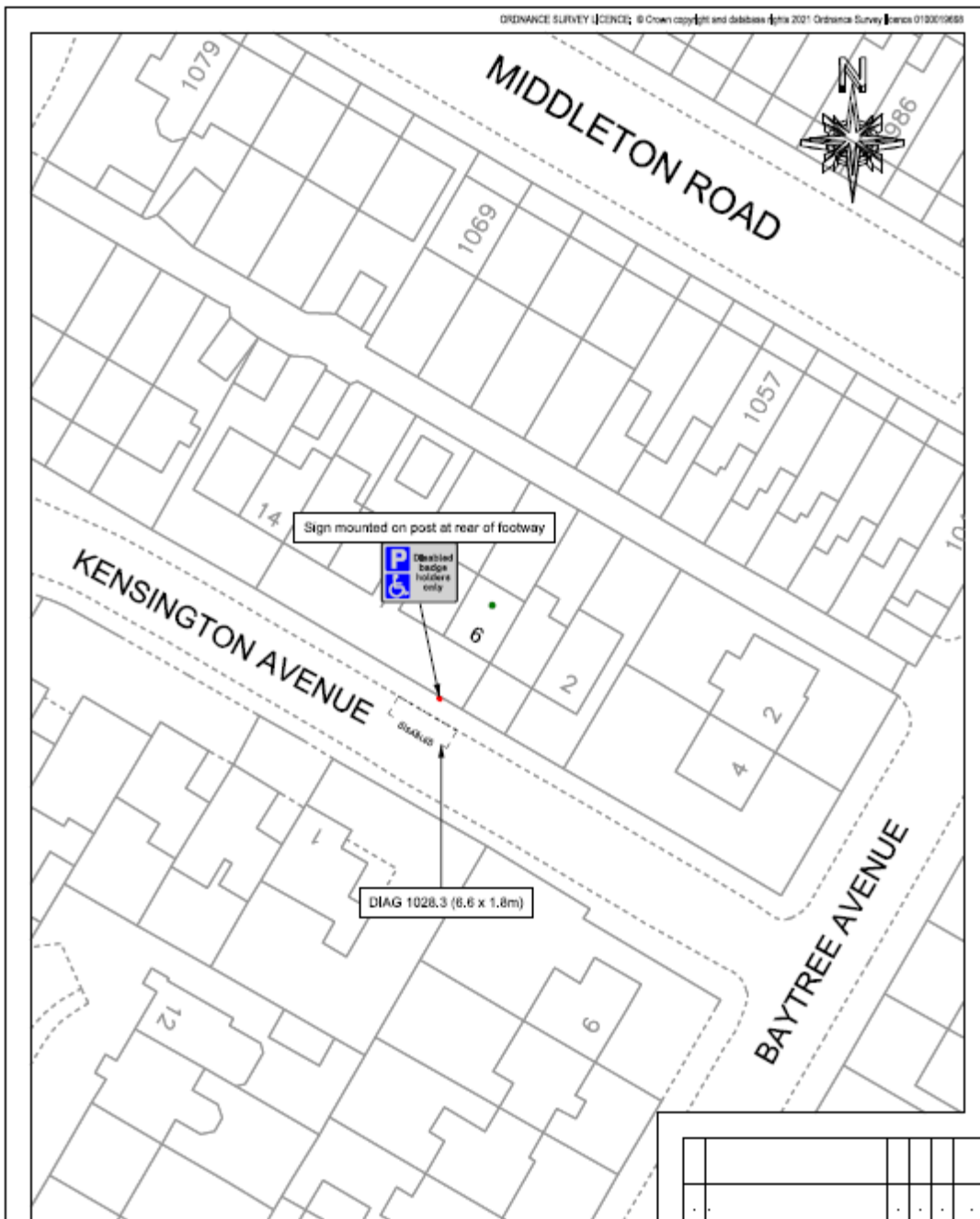
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Drawing no.
47/A4/1643/6

Rev.

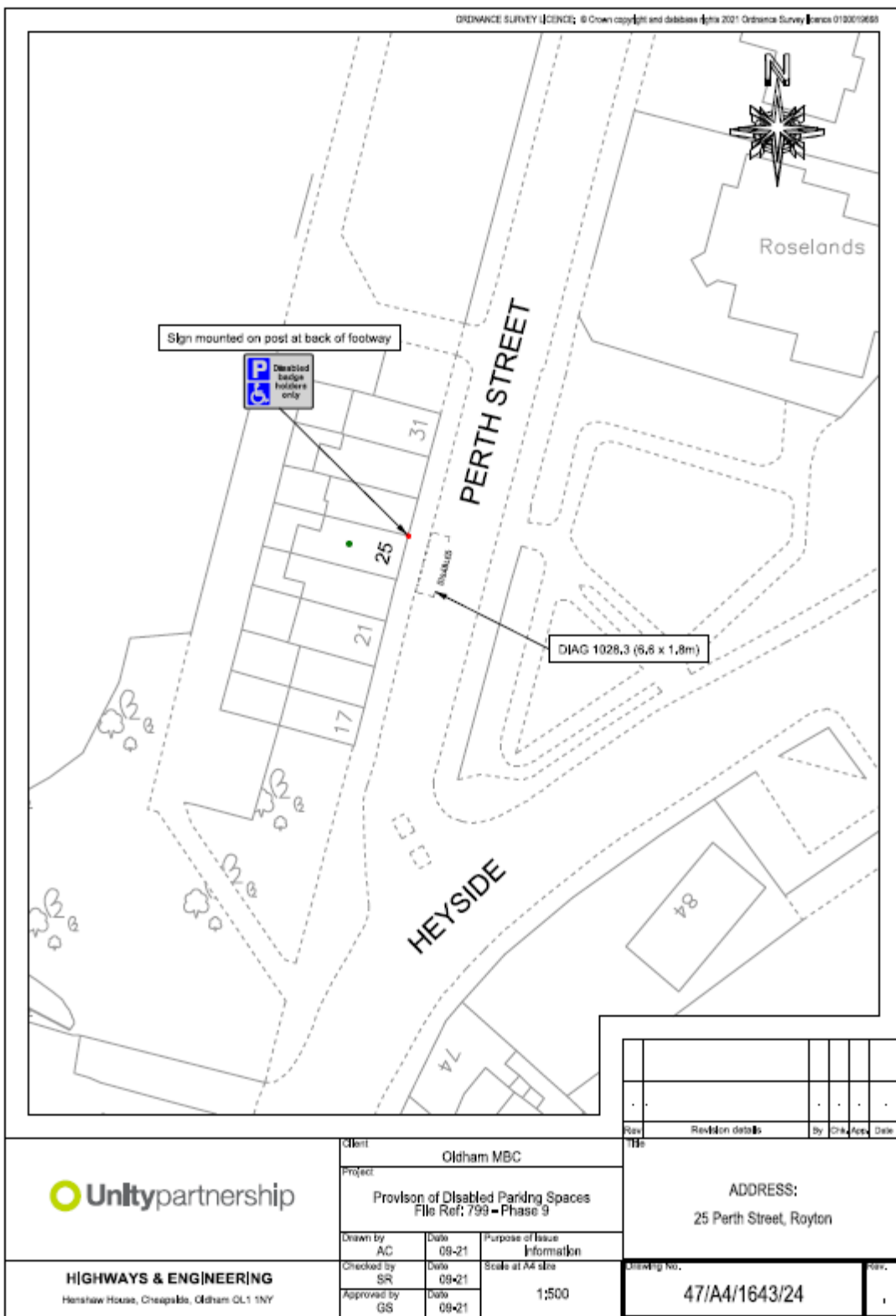
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Rev	Revision details	By	Drawn	Date

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	Drawn by AC	Date 09-21	Purpose of Issue Information	
	Checked by SR	Date 09-21	Scale at A4 size 1:500	
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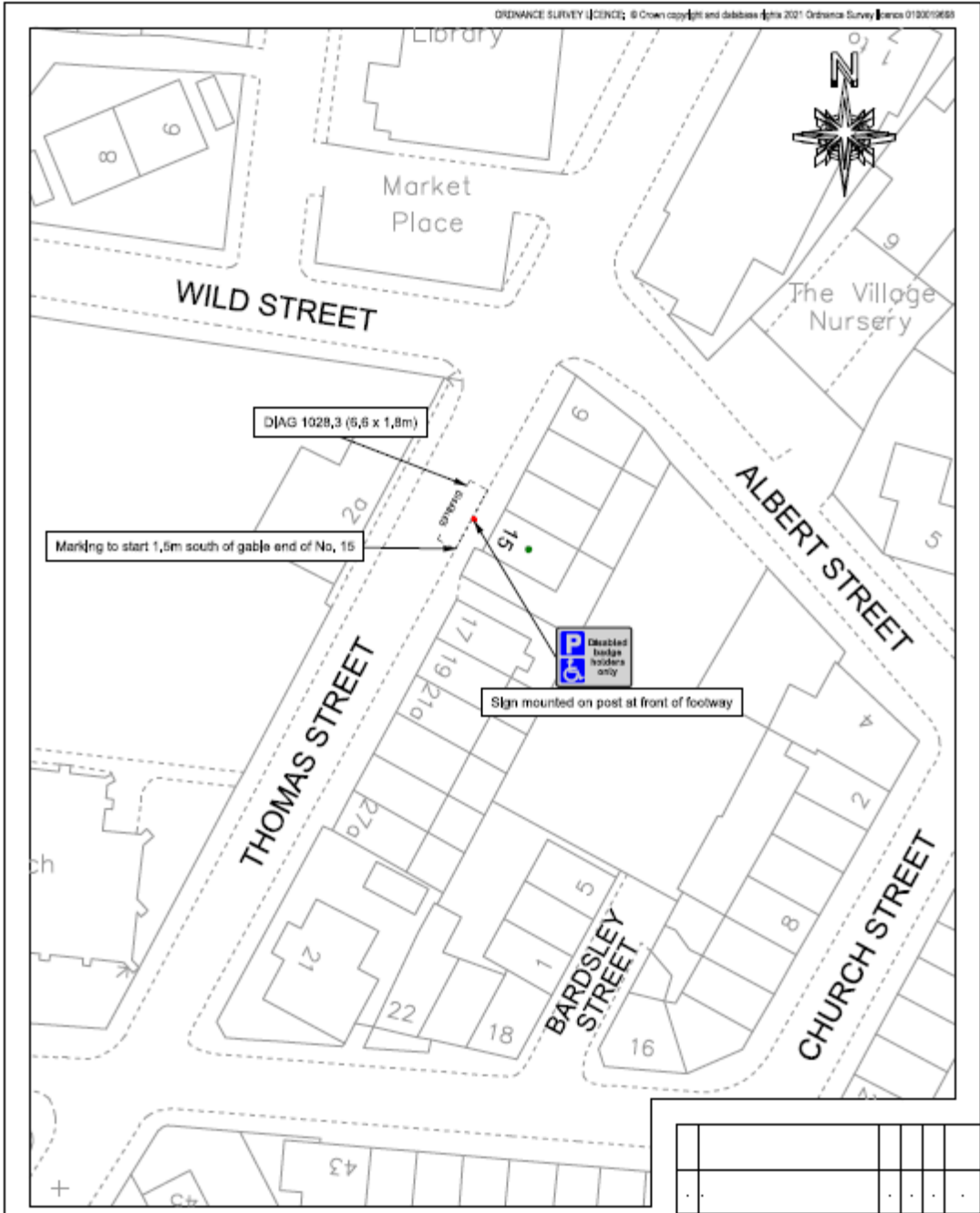
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Rev	Revision details	By	CHK	Appr	Date

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	Project: Provision of Disabled Parking Spaces File Ref: 799-Phase 9		
HIGHWAYS & ENGINEERING Henshaw House, Cheapside, Oldham OL1 1NY	Drawn by: AC	Date: 08-21	Purpose of Issue: Information Scale at A4 size: 1:500
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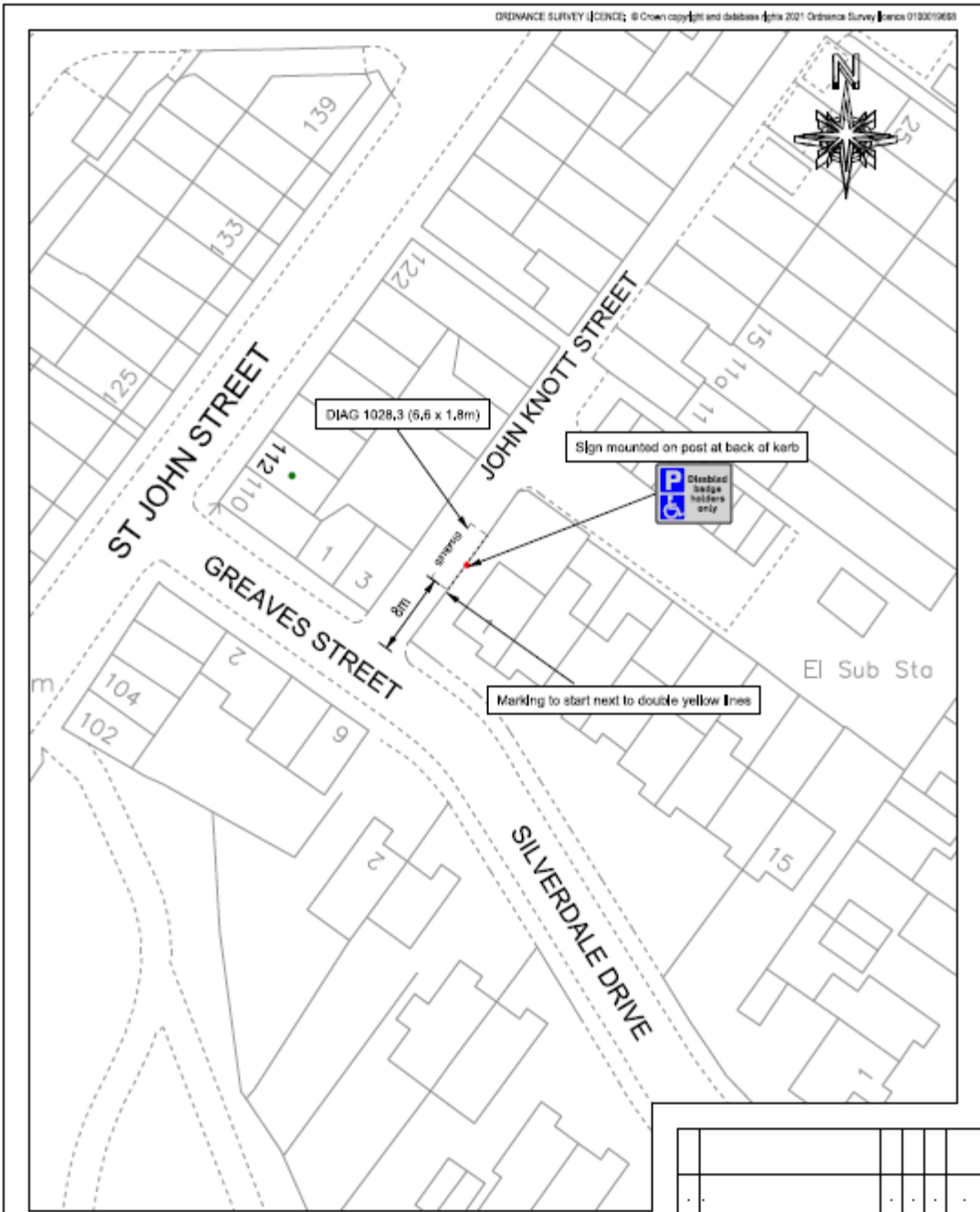
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Rev	Revision details	By	CHK	Rev	Date

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	Project: Provison of Disabled Parking Spaces File Ref: 799 - Phase 9		
HIGHWAYS & ENGINEERING Henshaw House, Chesapeake, Oldham OL1 1NY	Drawn by: AC	Date: 09-21	Purpose of Issue: Information Scale at A4 size: 1:500
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Rev	Revision details	By	CHK	APP	Date

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Henshaw House, Cheapside, Oldham OL1 1NY

Client Oldham MBC		
Project Provision of Disabled Parking Spaces File Ref: 799 - Phase 9		
Drawn by AC	Date 09-21	Purpose of Issue Information
Checked by SR	Date 09-21	Scale at A4 size 1:500
Approved by GS	Date 09-21	

ADDRESS: John Knott Street, Lees (Applicant 112 Saint John Street, Lees)	
Drawing No. 47/A4/1643/15	Rev.

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APPENDIX A
GUIDANCE NOTES

Oldham Council – Disabled Parking Bay Guidance

Introduction

This guidance specifies how Oldham Council will deal with applications for Disabled Parking Bays on the highway.

Disabled parking bays are designated with white lines and a traffic sign. Anyone with a Blue Badge can park in any disabled parking bay, even if it is outside your house (with or without your permission).

Disabled parking bays require a legal order to be completed before they can be introduced. Due to limited financial resources applications are considered annually should funding be available. Applicants must therefore be aware that there is likely to be a delay in progressing their application.

This legal process is also subject to a public advertisement period when objections can be submitted.

Before You Apply

To qualify for a Disabled Parking Bay, you must:

- Have a Blue Badge valid for at least 12 months;
- Have received the Blue Badge under the conditions relating to mobility;
- Have a taxed and insured vehicle registered at the Blue Badger Holder's address and driven by a member of the household;
- Not have the use of an off-street parking place or the ability to accommodate one in the grounds of the property.

The Applicant

Applicants should be receiving the Higher Rates of Mobility to qualify for a Disabled Parking Bay and should have received their Blue Badge under the conditions relating to mobility. They should also have a Blue Badge valid for at least 12 months.

There are two systems that are used for this purpose namely an Independent Mobility Assessment (IMA) or a Personal Independence Payment (PIP).

Oldham Council's Blue Badge Team hold the information from the IMA and will confirm the severity of the applicants mobility problems.

Blue Badge holders assessed through a PIP application will receive an award letter with a score of 8 or more to confirm their mobility difficulties.

Applicants who receive their Blue Badge for hidden conditions (shown in Appendix A), should not be considered for a Disabled Parking Bay unless a mobility problem can also be identified.

The initial assessment criteria include a clause that if off-street parking provision can be accommodated within the grounds of the property this should be pursued initially rather than a disabled parking bay introduced.

The feasibility for this will be undertaken by Traffic Engineers during the on-site assessment and will be appraised against the Council's Light Duty Vehicle Crossing criteria, which is published on the Council website. The provision of this facility will be discussed with the applicant and if there are valid reasons why off-street parking cannot be progressed the assessment criteria for an on-street disabled parking bay will progress.

The vehicle registered at the property should also be driven by a member of the household and regularly stored at the address. The main driver should not reside at a separate address and should not be the keeper of the vehicle.

The Location

Once it has been established the applicant meets the assessment criteria, consideration will be given to where the disabled parking bay can be introduced on the public highway.

Disabled parking bays will be introduced outside or as close to properties that do not have their own off-street parking provision.

Disabled parking bays are a minimum of 6.6 metres in length, which is longer than the length of a car and the width of a terraced property. Whilst this is not generally too problematic when there are only a few bays in the area, several bays introduced within a confined area can adversely affect residential parking in nearby streets.

This guidance introduces the concept of Density Criteria for Disabled Parking Bays to address the existing and future concentration particularly within residential terraced street environments where upper limits should be placed on the number of bays introduced.

When considering new developments or existing streets which are being remodelled, the Department for Transport Manual for Streets 2007 recommends that 5% of residential car-parking spaces are designated for use by disabled people. This recommendation will be adopted when considering applications along existing streets.

Under this guidance the location of the bays within the street will also be considered. For example, rather than concentrating the bays at one end of the street, it may be more appropriate to space them evenly which would leave them accessible for all residents of the street.

Where streets with existing bays have already met the new density criteria, further applications will be rejected, and consideration will be given as to whether the existing locations are appropriate.

Assessment of Applications

Appendix A

This contains details of hidden disabilities which may now grant people access to the Blue Badge scheme. This means that people with less obvious health conditions will have the same right to park in standard Disabled Parking Bays that you see on car parks and the public highway, as those with physical disabilities.

APPENDIX A

What are the hidden disabilities?

While the catch-all phrase encompasses many health issues, the most common are listed below:

- ADHD
- Amnesia
- Anxiety
- Autism spectrum disorder (ASD) and Asperger's Syndrome
- Crohn's Disease
- Complex mental health disorders
- Epilepsy
- Huntington's Disease
- Irritable Bowel Diseases
- Lupus
- ME
- Rheumatoid arthritis
- Ulcerative Colitis

This is not an exhaustive list.

What are the new criteria?

The new criteria for Blue Badges will extend eligibility to people who:

-
- cannot undertake a journey without there being a risk of serious harm to their health or safety or that of any other person (such as young children with autism);
 - cannot undertake a journey without it causing them very considerable psychological distress;
 - have very considerable difficulty when walking (both the physical act and experience of walking).

What are the benefits?

Previously, local authorities could not exclude those with hidden disabilities but granting permission was very much open to interpretation. The changes mean Council's now have much clearer guidelines.

SCHEDULE 1

Delete - Disabled Person's Parking Place Part II Schedule 4

Oldham Borough Council (Chadderton Area) Consolidation Order 2003

As amended by the Oldham Borough Council (Variation of the Oldham Area, Lees Area, Chadderton Area, Failsworth Area, Royton Area, Crompton Area and Saddleworth Area Consolidation Orders) Minor Order 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 5
Item No	Length of Road	Class of Vehicle	Days and hours of operation	Maximum period of waiting	No return within
(CH269)	<u>Bexhill Walk, Chadderton</u> (West side) In the parking area located to the rear of 7/9 Bexhill Walk	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(CH250)	<u>Burnley Lane, Chadderton</u> (South side) From a point 18 metres north west of its junction with Brierley Street for a distance of 6.6 metres in a north westerly direction (outside 57/59 Burnley Lane)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(CH269)	<u>Burnley Lane, Chadderton</u> (South east side) From a point 11.2 metres south east of its junction with unnamed highway at the gable of 233 Burnley Lane for a distance of 6.6 metres in a south easterly direction (outside 229 Burnley Lane)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(CH250)	<u>Robinson Street, Chadderton</u> (South side) From a point 8.5 metres east of its junction with Gorton Street for a distance of 6.6 metres in an easterly direction (outside 85 Robinson Street)	Disabled persons vehicle	24 hours daily	No limit	Not applicable

Oldham Borough Council (Crompton Area) Consolidation Order 2003
 As amended by the Oldham Borough Council (Variation of the Oldham Area, Lees Area, Chadderton Area, Failsworth Area, Royton Area, Crompton Area and Saddleworth Area Consolidation Orders) Minor Order 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 5
Item No	Length of Road	Class of Vehicle	Days and hours of operation	Maximum period of waiting	No return within
(CR187)	<u>Cunliffe Drive, Shaw</u> (West side) In the parking bay area outside property number 27 Cunliffe Drive	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(CR187)	<u>Trent Road, Shaw</u> (South side) From a point 14.6 metres south east of its junction with Valley Rise for a distance of 6.6 metres in a south easterly direction (outside 41 Trent Road)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(CR146)	<u>Lees Street, Shaw</u> (North side) From a point 37 metres east of its junction with Vicarage Street for a distance of 6.6 metres in an easterly direction	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(CR189)	<u>Duchess Street</u> (North side) From a point 44.2 metres west of its junction with Trent Road for a distance of 6.6 metres in a westerly direction (outside 62 Duchess Street)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(CR146)	<u>Derwent Drive, Shaw</u> (South east side) From a point 27 metres south west of its junction with Alwin Road for a distance of 6.6 metres in a south westerly direction	Disabled persons vehicle	24 hours daily	No limit	Not applicable

Oldham Borough Council (Oldham Area) Consolidation Order 2003
 As amended by the Oldham Borough Council (Variation of the Oldham Area, Lees Area, Chadderton Area, Failsworth Area, Royton Area, Crompton Area and Saddleworth Area Consolidation Orders) Minor Order 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 5
Item No	Length of Road	Class of Vehicle	Days and hours of operation	Maximum period of waiting	No return within
(O.890)	<u>Bronte Close, Oldham</u> (South side) In the layby opposite 17 Coleridge Road for a distance of 3.6 metres	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.858)	<u>Mayfield Road</u> (North west side) From a point 42.2 metres south west of its junction with Vulcan Street for a distance of 6.6 metres in a south westerly direction (outside 75 Mayfield Road)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.858)	<u>Lower Edge Avenue</u> (East side) From a point 113.7 metres north east of its junction with Coldhurst Street for a distance of 6.6 metres in a north easterly direction (outside 7 Gatley Brow)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.822)	<u>Osborne Road</u> (South east side) From a point 19 metres north east of its junction with Coppice Street for a distance of 6.6 metres in a north easterly direction (outside 21 Osborne Road)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.858)	<u>Beaufont Drive</u> (West side) From a point 10 metres north east of its junction with Roundthorn Road for a distance of 6.6 metres in a north easterly direction (gable of 251 Roundthorn Road)	Disabled persons vehicle	24 hours daily	No limit	Not applicable

(O.785)	<u>Wyndale Road, Oldham</u> (West side) From a point 10 metres north of its junction with Crofton Street for a distance of 6.6 metres in a northerly direction	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.936)	<u>Belgrave Road</u> (South west side) From a point 74.3 metres north west of its junction with Honeywell Lane for a distance of 6.6 metres in a north westerly direction (outside 182 Belgrave Road)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.858)	<u>Stirling Street</u> (North west side) From a point 74 metres north west of its junction with Main Road for a distance of 6.6 metres in a north westerly direction (outside 22 Stirling Street)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.922)	<u>Chapel Road</u> (West side) From a point 14 metres north west of its junction with Devon Way for a distance of 6.6 metres in a north westerly direction (outside 114 Chapel Road)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.936)	<u>Eskdale Avenue</u> (East side) From a point 27 metres north east of its junction with Grange Avenue for a distance of 6.6 metres in a north easterly direction (outside 9 Eskdale Avenue)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.822)	<u>Latimer Street</u> (West side) From a point 21.5 metres north of its junction with Ridley Street for a distance of 6.6 metres in a northerly direction (outside 24 & part of 22 Latimer Street)	Disabled persons vehicle	24 hours daily	No limit	Not applicable

(O.890)	<u>St Thomas Street South, Oldham</u> (North east side) From a point 37.4 metres south east of its junction with St Thomas's Circle for a distance of 6.6 metres in a south westerly direction (outside 15/17 St Thomas Street South)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.786)	<u>Crofton Street</u> (North side) From a point 43 metres east of its junction with Ashton Road for a distance of 6.6 metres in an easterly direction	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(O.890)	<u>Lord Street, Oldham</u> (South side) In the cul-de-sac end adjacent to existing permit parking bay	Disabled persons vehicle	24 hours daily	No limit	Not applicable

Oldham Borough Council (Lees Area) Consolidation Order 2003
As amended by the Oldham Borough Council (Variation of the Oldham Area, Lees Area, Chadderton Area, Failsworth Area, Royton Area, Crompton Area and Saddleworth Area Consolidation Orders) Minor Order 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 5
Item No	Length of Road	Class of Vehicle	Days and hours of operation	Maximum period of waiting	No return within
(L42)	<u>Nicholson Street, Lees</u> (East side) From a point 42.1 metres north of its junction with High Street for a distance of 6.6 metres in a northerly direction (outside 8 Nicholson Street)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(L40)	<u>Warrington Street</u> (East side) From a point 10 metres south of its junction with Princess Street for a distance of 6.6 metres in a southerly direction (outside 5 & part of 3 & 7 Warrington Street)	Disabled persons vehicle	24 hours daily	No limit	Not applicable

(L41)	<u>Hey Crescent, Lees</u> (West side) The south west corner of the parking area between 7 and 9 Hey Crescent (outside 7 Hey Crescent)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(L42)	<u>Medlock Way, Lees</u> (North side) From a point 35 metres west of its junction with Further Hey Close for a distance of 6.6 metres in a westerly direction (outside 24 Medlock Way)	Disabled persons vehicle	24 hours daily	No limit	Not applicable

Oldham Borough Council (Failsworth Area) Consolidation Order 2003
As amended by the Oldham Borough Council (Variation of the Oldham Area, Lees Area, Chadderton Area, Failsworth Area, Royton Area, Crompton Area and Saddleworth Area Consolidation Orders) Minor Order 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 5
Item No	Length of Road	Class of Vehicle	Days and hours of operation	Maximum period of waiting	No return within
(F130)	<u>Dalton Street, Failsworth</u> (South side) From a point 24 metres south west of its junction with Ward Street for a distance of 6.6 metres in a south westerly direction (outside 33 Dalton Street)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(F117)	<u>Main Street</u> (North east side) From a point 34 metres north west of its junction with Ashton Road West for a distance of 6.6 metres in a north westerly direction)	Disabled persons vehicle	24 hours daily	No limit	Not applicable

Oldham Borough Council (Saddleworth Area) Consolidation Order 2003
 As amended by the Oldham Borough Council (Variation of the Oldham Area, Lees Area, Chadderton Area, Failsworth Area, Royton Area, Crompton Area and Saddleworth Area Consolidation Orders) Minor Order 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 5
Item No	Length of Road	Class of Vehicle	Days and hours of operation	Maximum period of waiting	No return within
(S151)	<u>Brownhill Drive, Austerlands</u> (North side) From a point 30 metres west of its junction with Lower Turf Lane for a distance of 6.6 metres in a westerly direction (outside 31 Brownhill Drive)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(S179)	<u>Stonebreaks Road, Springhead</u> (South west side) From a point 12 metres south east of its junction with Woodbrook Road for a distance of 6.6 metres in a south easterly direction (outside 43 Stonebreaks Road)	Disabled persons vehicle	24 hours daily	No limit	Not applicable

Oldham Borough Council (Royton Area) Consolidation Order 2003
 As amended by the Oldham Borough Council (Variation of the Oldham Area, Lees Area, Chadderton Area, Failsworth Area, Royton Area, Crompton Area and Saddleworth Area Consolidation Orders) Minor Order 2004

Column 1	Column 2	Column 3	Column 4	Column 5	Column 5
Item No	Length of Road	Class of Vehicle	Days and hours of operation	Maximum period of waiting	No return within
(R129)	<u>Church Street, Royton</u> (North side) From a point 17.3 metres north east of its junction with Dunkerley Street for a distance of 6.6 metres in a north easterly direction (outside 56 Church Street)	Disabled persons vehicle	24 hours daily	No limit	Not applicable

(R101)	<u>Blackshaw Lane</u> (North west side) From a point 40 metres south east of its junction with Saint Ives Way for a distance of 6.6 metres in a south easterly direction	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(R100)	<u>Hall Street, Royton</u> (West side) From a point 27 metres north of its junction with Brook Street for a distance of 6.6 metres in a northerly direction	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(R134)	<u>Rochdale Road, Royton</u> (East side) From a point 25.2 metres north west of its junction with Lakeland Drive for a distance of 6.6 metres in a north westerly direction (outside 800 Rochdale Road)	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(R134)	<u>Roman Road, Royton</u> (North side) In the parking layby opposite 8 Roman Road	Disabled persons vehicle	24 hours daily	No limit	Not applicable
(R50)	<u>Hartington Court</u> From a point 38 metres south east of Shaw Street for a distance of 10 metres in a south easterly direction having a width of 4.8 metres	Disabled Persons Vehicle	24 Hours Daily	No limit	Not Applicable
(R50)	<u>Hartington Court</u> The cul de sac end having a width of 6 metres and a length of 6.6 metres	Disabled Persons Vehicle	24 Hours Daily	No limit	Not Applicable

SCHEDULE 2

Items to be deleted from the Principal Order at Part 1 Schedule 1 PROHIBITION OF WAITING

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
(0.890)	Lord Street (North side) access from Henshaw Street (West side) From a point 134 metres south east of its junction with Henshaw Street for a distance of 18 metres in a southerly direction	At Any Time	A, B1, B3, B4, C, E, K3	

SCHEDULE 3

Items to be included in the Principal Order at Part 1 Schedule 1 PROHIBITION OF WAITING

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	Lord Street (North side) access from Henshaw Street (West side) From a point 134 metres south east of its junction with Henshaw Street for a distance of 21 metres in a southerly direction	At Any Time	A, B1, B3, B4, C, E, K3	

SCHEDULE 4

Oldham Area - Disabled Bays Insert into Part II Schedule 4

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item No	Length of Road	Class of vehicle	Days and Hours of Operation	Maximum period of parking	No return within
	<u>Grendon Avenue</u> <u>Oldham</u> (North-west side) From a point 97 metres south west of its junction with Windsor Road for a distance of	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable

	6.6 metres in a south westerly direction				
	<u>Shield Close, Oldham</u> (South-east side) In the parking area at its most south-westerly point outside number 14	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Harper Street, Oldham</u> (North-east side) From a point 103 metres north west of its junction with Manley Road for a distance of 6.6 metres in a north westerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Keswick Avenue, Oldham</u> (North-east side) From a point 38 metres south east of its junction with Thatcher Street for a distance of 6.6 metres in a south easterly direction within the layby outside number 45	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>South Hill Street, Oldham</u> (West side) From a point 48 metres south of its junction with Greengate Street for a distance of 6.6 metres in a southerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Bolton Street, Oldham</u> (West side) From a point 14 metres north of its junction with Spinks Street for a distance of 6.6 metres in a northerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Onchan Avenue, Oldham</u> (North side) From a point 10 metres east of its junction with Bolton Street for a distance of 6.6 metres in an easterly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable

	<u>Bismarck Street, Oldham</u> (South-east side) From a point 10 metres south west of its junction with Waterloo Street for a distance of 6.6 metres in a south westerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Cranbrook Street, Oldham</u> (North-west side) From a point 16 metres north east of its junction with Salisbury Road for a distance of 6.6 metres in a north easterly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Cleeve Road, Oldham</u> (North-west side) From a point 24 metres south west of its junction with Melling Road for a distance of 6.6 metres in a south westerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Eric Street, Oldham</u> (North-east side) From a point 15 metres south east of its junction with Red Hall Street for a distance of 6.6 metres in a south easterly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Wildmoor Avenue, Oldham</u> (South-east side) In the parking area at its most north easterly point in the cul-de-sac outside number 94	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Cobden Street, Oldham</u> (East side) From a point 42 metres south of its junction with Paulden Avenue for a distance of 6.6 metres in a southerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable

	<p><u>Cobden Street, Oldham</u> (East side)</p> <p>From a point 46 metres south of its junction with Cranleigh Close for a distance of 6.6 metres in a southerly direction</p>	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<p><u>Littlemoor Lane, Oldham</u> (South-east side)</p> <p>From a point 52 metres north east of a point opposite the north easterly kerb-line of Otago Street for a distance of 6.6 metres in a north easterly direction</p>	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<p><u>Herbert Street, Oldham</u> (North-east side)</p> <p>From a point 79 metres north west of a point opposite the northerly kerb-line of Adlington Street for a distance of 6.6 metres in a north westerly direction</p>	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<p><u>Kilburn Street Oldham</u> (South-west side)</p> <p>From a point 24 metres north west of its junction with Ripponden Road for a distance of 6.6 metres in a north westerly direction</p>	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<p><u>Albany Street, Oldham</u> (North-east side)</p> <p>From a point 37 metres south east of its junction with Rixson Street for a distance of 6.6 metres in a south easterly direction</p>	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<p><u>Sunfield Road Oldham</u> (West side)</p> <p>From a point 95 metres north of its junction with Henshaw Street for a distance of 6.6 metres in a northerly direction</p>	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable

	<u>Patterdale Close, Oldham</u> (West side) In the parking area at its most northerly point outside number 37	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>Barlow Street, Oldham</u> (North-east side) From a point 12 metres north west of its junction with Hardy Street for a distance of 6.6 metres in a north westerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable

SCHEDULE 5
Chadderton Area – Disabled Bays

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item No	Length of Road	Class of vehicle	Days and Hours of Operation	Maximum period of parking	No return within
	<u>Kensington Avenue, Chadderton</u> (North-east side) From a point 38 metres north west of its junction with Baytree Avenue for a distance of 6.6 metres in a north westerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable

SCHEDULE 6
Royton Area - Disabled Bays


Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item No	Length of Road	Class of vehicle	Days and Hours of Operation	Maximum period of parking	No return within
	<u>Perth Street, Royton</u> (West side) From a point 35 metres north of its junction with Heyside for a distance of 6.6	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable

	metres in a northerly direction				
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SCHEDULE 7
Lees Area - Disabled Bays

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item No	Length of Road	Class of vehicle	Days and Hours of Operation	Maximum period of parking	No return within
	<u>Thomas Street, Lees</u> (South-east side) From a point 16 metres south west of its junction with Albert Street for a distance of 6.6 metres in a south westerly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable
	<u>John Knott Street, Lees</u> (South-east side) From a point 8 metres north east of its junction with Greaves Street for a distance of 6.6 metres in a north easterly direction	Disabled Persons Vehicle	24 Hours Daily	No Limit	Not Applicable

APPROVAL

<p>Decision maker</p> <p>Signed: </p> <p>Cabinet Member, Neighbourhoods</p>	<p>Dated: 16th December 2021</p>
<p>In consultation with</p> <p>Signed: John Lamb Interim Director of Environmental Services</p>	<p>Dated: 14th December 2021</p>

APPENDIX B

COPY OF REPRESENTATIONS

Kilburn Street

I'm writing to you in regards to the above proposal of a disabled parking bay to be installed at 315 Kilburn street, Watersheddings, Oldham.

Regretfully, I wish to make known my outright objection of this proposal, on the main grounds that there is no need for it - which I will go into further detail below.

As I understand it, a main condition that must be met in an application for this space is that the resident is having difficulties accessing their property. While I completely understand and appreciate issues blue badge holders have, and am very mindful of disabilities in general, I can assure you there are no such issues being experienced by no. 3 Kilburn street. And therefore I am incredibly surprised, along with my fellow residents, about this proposal to waste the council's time and money.

Having lived at 7 Kilburn street for a few years now, I have never been made aware of or witnessed any accessibility issues concerning the residents at no. 3. In fact, the resident's car (a white Ford Puma) is always parked directly outside no. 3. I can say with certainty in 3 years I have never seen them have to park anywhere else!

No residents of Kilburn street are, in fact,

incredibly mindful and considerate that the residents at number 3 are elderly, and as an unspoken rule never take their spot.

While I do not assume that the residents of no. 3 are disabled, or blue badge holders - I have to question their need for more parking space as neither resident is in need of a wheelchair, crutches, walking stick, or any other assistance. They always have ample space and, as their house is situated next to an alleyway, they are never blocked in ^{have plenty of space to the rear}

I worry that a disabled space, while really not required as above, will also cause issues in its unsightliness, impracticalness, and problematic when I come to sell my property. In short term, a large disabled bay will mean I cannot park close to my house either - making things like bringing in my shopping harder than it already is. As above, even if a space is free in front of no. 3 I do not park there despite this making my life a whole lot easier!

In conclusion, I hope that you can understand my frustration and disapproval of this application - and that you will take my thoughts into consideration.

I rarely speak up or take action when disgruntled by something - but I felt you should be hearing the viewpoints of the other residents this application will effect!

With my kindest regards,

DEAR SIR/MADAM,
WE STRONGLY OBJECT TO YOUR PROPOSED
DISABLED PERSONS PARKING SPACE AT
2/5 HILBURN STREET, FROM THE MEASURE-
MENTS GIVEN THIS WOULD BRING THE
DISABLED SPACE RIGHT IN FRONT OF OUR
HOUSE FRONTAGE WHICH, IN OUR OPINION
WOULD RENDER OUR PROPERTY UNSALEABLE.
THERE IS ABSOLUTELY NO REASON FOR A
SPECIAL SPACE AS THE CAR IN QUESTION
IS NEVER PARKED ANYWHERE OTHER THAN
OUTSIDE NO. 3. MEANING THE OWNERS
HAVE JUST THE WIDTH OF THE PAVEMENT
TO WALK BEFORE GETTING INTO THE CAR.
NOBODY IS ALLOWED TO PARK THERE
OR WEAR IT, IF THEY TRY THEY ARE
BLOCKED IN BY THE OWNER OF NO. 3,
THIS STREET HAS FAR MORE CARS THAN SPACES
AND WHAT YOU ARE PROPOSING WOULD BRING

A LOT OF ILL FEELING BY THE RESIDENTS WHO
CAN RARELY GET A SPACE ON THE STREET
LET ALONE OUTSIDE THEIR HOMES.

SOLUTION

LARGE GRASSED AREA - UNUSED OPPOSITE
REPLACED WITH LARGE PARKING AREA
FOR RESIDENTS.

John Knott Street

To Whom it May Concern

I write to you with my objection to the proposal of a 24 hour disabled parking bay on John Knott Street, Lees, Oldham, reference proposal number: LJM/20509. There are a number of concerns with this proposal which I will detail below, however I wish to highlight, this proposal was made on 4th February 2022. However, the notice for residents to object was not put up until the evening of 12th February 2022. Secondly, many attempts were made to contact your office on the details provided on the notice. There was never a response received from you and it was not possible to come and view the plans, and these had to be sourced another way without any support from your office.

The proposed parking bay is proposed to be placed 8.9 meters from John Knott Street, this breaches Rule 243 of the Highway Code which states 'Rule 243 of the highway code DO NOT stop or park opposite or within 10 meters of a junction.' Therefore, the proposed parking bay would breach the highway code.

When turning into John Knott Street from Greaves Street, this is a blind corner, making it dangerous as there would be limited passing space for oncoming cars to pull into. This would also mean that when pulling out of the road, it would not be possible to sit on the left-hand side of the road, whilst waiting to turn onto Greaves Street.

The Highway Code Rule 239 states: 'Do not stop too close to a vehicle displaying a Blue Badge: remember the occupant may need more room to get in or out'. The proposed parking bay is next to a 4 foot fence, and to ensure there is enough room to pass the parked car the vehicle would need to park up against the fence, and therefore one side of the car would be inaccessible. It is clearly stated in the highway code those with a Blue Badge may require more room, however the parking space is completely inaccessible on one side of the car.

The proposed parking space is a bin collection point. The bins are collected each Tuesday for several residents on St. John Street and Greaves Street, and are regularly there for a few days when not collected in. This would not be beneficial to a Blue Badge user to access the space as it is not possible to get into the parking space when bins are at the collection point.

Land proposed where the Disabled badge sign will be to indicate this is a 24 hour disabled parking bay, is private land. This Private land is not owned by Oldham Council, as previously also confirmed by the Highways Department at Oldham Council (see attached email). Therefore, the sign is proposed to be put on land that does not belong to Oldham Council but is registered with Land Registry to 'J.Collins'.

To implement a 24 hour disabled Parking bay will restrict the possible passing places on John Knott Street and restrict access to some larger vehicles. Due to the width of the road, a number of deliveries have been turned away when vehicles have parked close to the double yellow lines on John Knott Street, in the area of the proposed parking bay.

The 24 hour Disabled parking bay is proposed for 112 St. John Street. There is land on St John Street which does not breach the rules above. The land on St John Street, is closer to 112 St John Street than the proposed land on John Knott Street.

The 24 hour Disabled Parking Bay would be more suitably placed on St John Street, closer to the resident's property applying for the 24 hour disabled parking bay. This is also not a bin collection point and would allow access to both sides of the car, as there is no restrictive access on St. John Street. A Disabled Parking Bay on St John Street would not require a sign to be placed on Private land and would also not be in breach of Highway Code Rule 243: 'Do Not stop or park within 10 meters of a junction' as the double yellow lines would not allow this. The area on St. John Street does not have a bin collection point and therefore access to the parking bay also would not be restricted by bin collections.

In summary, I object to the proposal of a 24 hour disabled parking bay on John Knott Street due to safety concerns, bin collection, accessibility of the 24 hour disabled parking bay, Highway Code

breaches, restrictive access, no passing place and the proposal of using privately owned land when there is a more suitable, less restrictive location for the 24 hour disabled parking bay which also provides easier access and closer to the requesting party, 112 St. John Street.

Please find my objection to the proposed introduction of a 24 hour disabled bay on John Knott Street. Please can you ensure my objection is correctly filed and collated, along with other objections.

The reasons for my objection are as follows.

John Knott street is a single lane, cut-de-sac street, built up of 11 dwellings. Each dwelling has a motor vehicle in their household meaning 11 vehicles need parking each night on John Knott Street. This is not currently possible due to the small nature of John Knott Street. Introducing a 24 hour disabled bay, for somebody not residing on the street, would only make the parking situation worse than it already is by reducing the available number of parking spaces by two bays.

Another factor contributing to my objection is the current crime statistics in our area. Owning a van which is used for work purposes and already having experienced my work vehicle being vandalised and broken into, multiple times, I feel parking on the street I live on to be a lot safer than parking the van away from my home where the previously described incidents have occurred. (St John Street)

Finally, If the proposed disabled bay is to go ahead, the vehicle would not be able to be parked on John Knott Street and successfully be able to open both driver's and passenger doors, as this would either be obstructed by number 1 Silverdale's rear garden fence or mean parking a sufficient distance from the fence and result in blocking access to John Knott Street.

My solution to the above application would be to provide a 24 hour disabled bay on St John Street, outside the required property. This would mean the bay would be as close as possible to the desired dwelling, enough space would be available to open both driver's and passenger doors simultaneously whilst the vehicle is parked and this would not reduce the availability the residents of St John Street have to fairly park their own vehicles outside their own property.

To Whom it May Concern

As a concerned resident of John Knott Street I wish to highlight my objection to the proposal of a 24 hour disabled parking bay on John Knott Street, Lees, Oldham, reference proposal number: LJM/20509.

This proposal was made on 4th February 2022. However, the notice for residents to object was not put up until the evening of 12th February 2022.

The proposed parking bay is proposed to be placed 8.9 meters from John Knott Street, this breaches Rule 243 of the Highway Code which states 'Rule 243 of the highway code DO NOT stop or park opposite or within 10 meters of a junction.' Therefore, the proposed parking bay would breach the highway code.

When turning into John Knott Street from Greaves Street, this is a blind corner, making it dangerous as there would be limited passing space for oncoming cars to pull into. This would also mean that when pulling out of the road, it would not be possible to sit on the left-hand side of the road, whilst waiting to turn onto Greaves Street.

The Highway Code Rule 239 states: 'Do not stop too close to a vehicle displaying a Blue Badge: remember the occupant may need more room to get in or out'. The proposed parking bay is next to a 4 foot fence, and to ensure there is enough room to pass the parked car the vehicle would need to park up against the fence, and therefore one side of the car would be inaccessible. It is clearly stated in the highway code those with a Blue Badge may require more room, however the parking space is completely inaccessible on one side of the car.

The proposed area is a bin collection point each Tuesday for several residents on St. John Street and Greaves Street and therefore a parking space would restrict access to bin collection.

Land proposed where the Disabled badge sign will be to indicate this is a 24 hour disabled parking bay, is private land. This Private land is not owned by Oldham Council, as previously also confirmed by the Highways Department at Oldham Council. Therefore, the sign is proposed to be put on land that does not belong to Oldham Council but is registered with Land Registry to 'J.Collins'.

To implement a 24 hour disabled Parking bay will restrict the possible passing places on John Knott Street and restrict access to some larger vehicles. Due to the width of the road, a number of deliveries have been turned away when vehicles have parked close to the double yellow lines on John Knott Street, in the area of the proposed parking bay.

The 24 hour Disabled parking bay is proposed for 112 St. John Street. There is land on St John Street which does not breach the rules above. The land on St John Street, is closer to 112 St John Street than the proposed land on John Knott Street.

I object to the proposal of a 24 hour disabled parking bay on John Knott Street due to safety concerns, bin collection, accessibility of the 24 hour disabled parking bay, Highway Code breaches, restrictive access, no passing place and the proposal of using privately owned land when there is a more suitable, less restrictive location for the 24 hour disabled parking bay which also provides easier access and closer to the requesting party, 112 St. John Street.

Please find below my objection to the proposed Introduction of a **24 hour disable bay on John Knott Street**. I request your Acknowledge receipt by return email of this my strong objection to this proposal as set out below. Please ensure this Objection is filed and collated correctly against this proposal along with all other Objections to the John Knott Street 24 hour Disabled parking please. John Knott Street is an unusually narrow single lane residential street with a cul-de-sac at its end. (The maximum width of John Knott Street at the proposed disable parking bay is 4.6 meters wide without any vehicles parked with a car parked at this point this is reduced down to a maximum passable road width of 2.60 meters).

My objections are as follows

Accident concern

I believe the proposed Disable parking bay being so close to the junction with Greave Street and the blind entrance to John Knot Street would leave any Disabled person with reduced motor function or mobility at great risk of possible injury when entering or leaving a vehicle at this proposed site. Any access to a vehicle here would entail opening the driver side door into and blocking the open narrow live lane for access or egress to said vehicle. Access into the vehicle via the passenger door is impossible at this site. We the residence witness on a daily basis cars, taxis and delivery drivers traveling at speed or reversing without due care into John Knott Street at the very proposed site for the disabled parking bay. As there is no room for a footpath anywhere on the named street. I know there is not a resident of John Knott Street that has not had a near miss of being run over when walking out towards this junction due to vehicle entering the street blindly and at speed.

Emergency Vehicle Access

I have a very real concern regarding Emergency vehicle access. Over the years I have been a resident on this street (approx. 18 years) I myself have witnessed on several occasions when emergence vehicles such as Ambulance and fire engines have been unable to gain access to homes on John Knott Street again due to vehicles parked at the proposed parking site, any vehicles parked at this point needs to be able to be removed very quickly for such emergency vehicle access.

Services, Maintenance and repair Access

We the residence of John Knott Street regularly suffer almost weekly the inconvenience of having services such as waste disposal vehicles unable to gain access, resulting in regular missed waste collections due to the narrowed road width and badly parked vehicle at the proposed disabled bay sighting. If slow or delayed access to a vehicle at this proposed site, I truly believe this would further exacerbate this situation. Road maintenance, emergency sewer clearance and drain repair vehicles have all had access issues regularly resulting in delayed or cancelled works, all due to the above vehicles width and their inability to pass the very narrowed road width at the very proposed 24 hour disabled parking site.

Further more all the residence of John Knott Street suffers on an hourly basis from the inconvenience and inaccessibility to and from our homes due to the extremely limited parking on the road. Cars and van unable to find parking simply stop and block the road as the drivers then simple leave their vehicles parked in the live lane and unattended. This coupled with the houses who's address is that of St Johns Street which then backing on to John Knott street also continue to blocking access with there outwardly open gates and left out wheelie bins all blocking the live very narrow lane, create such a problem that you rarely have a free journey in or out of the street.

Resident parking

I am sure many residents who may have objected to this Proposed 24 hour disabled parking bay have focused on the very limited available on road parking (5-6 vehicle at the very most) on John Knott Street. The size of the proposed Disabled Bay 6.6m would reduce this number by 2 vehicles! Due to the fact John Knott Street is used by residents from all the surrounding streets, park their vehicle on a long-term basis, some time for week without movement. We the residents of the 11 houses and council payers of John Knott Street are denied the convenience of parking on the street that we reside on, we suffer the many inconveniences mentioned including having are own

vehicle broken into, vandalised and valuable items stolen while parked on other streets in the area. Some of the residents off John Knott Street have installed CCTV to combat this escalating issue, providing a Disabled parking bay for a none, John Knott Street residence means in short, we are providing security for others while our own vehicles are left vulnerable and out of view or ear shot of the street resident or the very cameras we have installed.

After due consideration I believe that for individual's safe access to their disabled vehicle, convenience to their dwelling and visible security plus emergency vehicle access to all the homes on John Knott Street, I believe the application for a 24 hour disabled bay be moved to the first parking bay on St John Street, after the yellow lines and only one door away from 112. This location is much closer to the disabled resident of 112 St John Street I believe the curb at this point would require adjustment, this would then always offer safe pavement access in and out of the 24 hours a day.

To Whom it May Concern

I write to you with my objection to the proposal of a 24 hour disabled parking bay on John Knott Street, Lees, Oldham, reference proposal number: LJM/20509.

I have a number of concerns with this proposal.

The proposed parking bay is proposed to be placed 8.9 meters from John Knott Street, this breaches Rule 243 of the Highway Code which states 'Rule 243 of the highway code DO NOT stop or park opposite or within 10 meters of a junction.' Therefore, the proposed parking bay would breach the highway code.

When turning into John Knott Street from Greaves Street, this is a blind corner, making it dangerous as there would be limited passing space for oncoming cars to pull into. This would also mean that when pulling out of the road, it would not be possible to sit on the left-hand side of the road, whilst waiting to turn onto Greaves Street.

The Highway Code Rule 239 states: 'Do not stop too close to a vehicle displaying a Blue Badge: remember the occupant may need more room to get in or out'. The proposed parking bay is next to a 4 foot fence, and to ensure there is enough room to pass the parked car the vehicle would need to park up against the fence, and therefore one side of the car would be inaccessible. It is clearly stated in the highway code those with a Blue Badge may require more room, however the parking space is completely inaccessible on one side of the car.

Land proposed where the Disabled badge sign will be to indicate this is a 24 hour disabled parking bay, is private land. This Private land is not owned by Oldham Council, as previously also confirmed by the Highways Department at Oldham Council (see attached email). Therefore, the sign is proposed to be put on land that does not belong to Oldham Council but is registered with Land Registry to 'J.Collins'.

To implement a 24 hour disabled Parking bay will restrict the possible passing places on John Knott Street and restrict access to some larger vehicles. Due to the width of the road, a number of deliveries have been turned away when vehicles have parked close to the double yellow lines on John Knott Street, in the area of the proposed parking bay.

The 24 hour Disabled Parking Bay would be more suitably placed on St John Street, closer to the resident's property applying for the 24 hour disabled parking bay. This is also not a bin collection point and would allow access to both sides of the car, as there is no restrictive access on St. John Street.

In summary, I object to the proposal of a 24 hour disabled parking bay on John Knott Street due to safety concerns, bin collection, accessibility of the 24 hour disabled parking bay, Highway Code breaches, restrictive access and no passing place.

For anyone that lives on our street or has visited our street, will know straight away that parking is a challenge. So to find out that a potential disabled bay is being proposed to accommodate a household that doesn't live on our street is very frustrating. Looking at the proposed plans this will take up a space that could fit two cars. Which will therefore limit the availability of parking on our road.

We are a young family and my partner works away a lot, so being able to park as close as possible to our home is something very important to me. Not just for the convenience but also for safety reasons. My usual parking space that I am able to park in most days is on fact the exact spot in which is being proposed to be used as a disabled bay.

In addition, if this space is to be used for a disabled bay then it is also going to cause issues for our bin collection. As this is where the bins for our street and also for some of the houses on Silver Dale are collected from each week.

Surely disabled bays require access around the full vehicle and the spot in which is being proposed is in fact directly next to a fence – surely this is restricted access? A solution to this would be to in fact allocate the disabled parking bay outside the house in question whom in which requires the disabled bay.

If you require any further information from myself please do not hesitate to contact me.

Thankyou again for passing my objections on to the relevant department.

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Report to TRO Panel

Grange Avenue, Werneth – Objection to Traffic Regulation Order

Portfolio Holder:

Councillor A Chadderton, Cabinet Member for Neighbourhoods

Officer Contact: Deputy Chief Executive – People and Place

Report Author: Andrew Cowell, Traffic Engineer

Ext. 4377

16 June 2022

Reason for Decision

The purpose of this report is to consider six objections to a proposal for prohibition of waiting restrictions to be introduced along Grange Avenue, Werneth.

Recommendation

It is recommended that the objections be dismissed and the proposal introduced as advertised in accordance with the schedule in the original report.

Grange Avenue, Werneth – Objection to Traffic Regulation Order**1 Background**

- 1.1 A report recommending the introduction of prohibition of waiting restrictions at Grange Avenue, Werneth, was approved under delegated powers on 5th March 2020. The proposal was subsequently advertised and six letters of objection and one supporting letter were received.
- 1.2 A copy of the approved report is attached at Appendix A and a copy of the objections are attached at Appendix B.
- 1.3 The proposal was promoted to address issues with obstructive parking along Grange Avenue. Numerous complaints were received from local residents, pedestrians and hauliers regarding parking along the route. Vehicles are regularly left parked obstructing the footway and also contrary to the Highway Code, causing an obstruction to junction visibility splays.
- 1.4 A letter drop to properties along Grange Avenue was carried out in 2020 which highlighted the problems being caused by inconsiderate and obstructive parking. Despite this letter, inconsiderate and obstructive parking continues and is considered a road safety issue.
- 1.5 Officers have previously investigated a scheme to introduce double yellow lines along the full length of the route on the north eastern side, however this failed to gain the support of Ward Members who were concerned about the loss of parking. This proposal will therefore primarily address the issue of obstructive parking at junctions.

2 Objections

- 2.1 Six objections were received from residents of Grange Avenue. In summary, the objectors claim that the proposal:
 - will reduce the availability of on-street parking spaces in an area where there is already a high demand
 - will affect their ability to park outside their homes
 - will affect elderly and disabled residents
 - will affect the value of their homes
 - is only required because of the Council's planning decision to allow new houses to be built opposite with insufficient off-street parking
- 2.2 One letter of support was received from a resident of Grange Avenue, although the resident suggested that the length of restrictions were insufficient to address the issues of pavement parking and requested that the proposal was extended.
- 2.3 The Council appreciates that there is a lack of on-street parking for some residents of Grange Avenue. However, the Council is not responsible for providing on-street parking but has a duty in respect of road safety matters.

-
- 2.4 The lengths of restriction proposed are not considered excessive and the proposal has been scaled down. A scheme to address the issues along the full length of Grange Avenue was not supported by ward members.
 - 2.5 Whilst waiting restrictions can affect elderly and disabled residents, the individual circumstances of residents cannot always be accommodated on the highway and the Council must prioritise matters of road safety and access Disabled badge holders can park on the restrictions for up to three hours and the restrictions allow for loading and unloading.
 - 2.6 The Council do not routinely treat every junction on the highway with restrictions. Where we receive requests these locations will be investigated.
 - 2.7 In relation to the new houses, the number of spaces for the development was deemed sufficient enough not to give rise to a material increase in on-street car parking based on Council planning policy and encouraging sustainable travel.

3 **Options/Alternatives**

- 3.1 Option 1 – Introduce the proposed restrictions as advertised.
- 3.2 Option 2 – Do not introduce the proposed restrictions.

4 **Preferred Option**

- 4.1 The preferred option is Option 1.

5 **Consultation**

- 5.1 These were detailed with in the previous report.

6 **Comments of Chadderton North Ward Councillors**

- 6.1 The Ward Councillors have been consulted again and no comments were received.

7 **Financial Implications**

- 7.1 These were dealt with in the previous report.

8 **Legal Services Comments**

- 8.1 These were dealt with in the previous report.

9 **Co-operative Agenda**

- 9.1 In respect of introducing prohibition of waiting restrictions on Grange Avenue, there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

10 **Human Resources Comments**

- 10.1 None.

11 **Risk Assessments**

11.1 None.

12 **IT Implications**

12.1 None.

13 **Property Implications**

13.1 None.

14 **Procurement Implications**

14.1 None.

15 **Environmental and Health & Safety Implications**

15.1 These were dealt with in the previous report.

16 **Equality, community cohesion and crime implications**

16.1 These were dealt with in the previous report.

17 **Equality Impact Assessment Completed?**

17.1 No

18 **Key Decision**

18.1 No.

19 **Key Decision Reference**

19.1 Not applicable.

20 **Background Papers**

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

None.

21 **Appendices**

21.1 Appendix A – Approved Mod Gov Report
Appendix B - Copy of Representations

APPENDIX A
APPROVED MOD GOV REPORT



Delegated Decision

Proposed Prohibition of Waiting – Grange Avenue, Werneth

Report of: Deputy Chief Executive – People and Place

Officer contact: Alister Storey, Traffic Engineer
Ext. 5766

3 March 2020

Purpose of Report

The purpose of this report is to consider the introduction of prohibition of waiting restrictions at locations along Grange Avenue and at various side road junctions along the route to protect drivers visibility by removing the obstructive parking of vehicles.

Recommendation

It is recommended that no waiting at any time (double yellow lines) restrictions be introduced on Grange Avenue and various side road junctions in accordance with the schedule and plans at the end of this report.

Delegated Decision

Proposed Prohibition of Waiting – Grange Avenue, Wemeth

1 Background

- 1.1 Grange Avenue is an unclassified residential two way street that runs between the A62 Manchester Road and Chamber Road. The road is street lit and is subject to a 30mph speed limit and has footways to both sides.
- 1.2 The properties along the route are a mixture of housing stock with varying amounts of off street parking. The majority of the older properties have either off street parking to the front or the rear. A number of new properties have recently been built towards the College Avenue junction, all these properties have off street parking.
- 1.3 Numerous complaints have been received from local residents, pedestrians and hauliers regarding parking along the route. Vehicles are regularly left parked obstructing the footway and also contrary to the Highway Code, causing an obstruction to junction visibility splays.
- 1.4 A letter drop to properties along Grange Avenue was carried out earlier this year which highlighted the problems being caused by inconsiderate and obstructive parking. The letter notified residents that unless the practice ended, there would be no other option than to introduce formal waiting restrictions. Despite this letter, inconsiderate and obstructive parking continues and is considered a road safety issue.
- 1.5 Officers have previously investigated a scheme to introduce double yellow lines the full length of the route along the north eastern side, however this failed to gain the support of Ward Members who were concerned about the loss of parking. The new proposals will address the issue to obstructive parking at junctions, however the issue of obstructive parking of both sides of the carriageway away from junctions will need to be monitored.
- 1.6 In view of the above it is felt that measures recommended should be introduced to alleviate the problems being experienced.

2 Options/Alternatives

- 2.1 Option 1: To approve the recommendation
- 2.2 Option 2: Not to approve the recommendation

3 Preferred Option

- 3.1 The preferred option is Option 1

4 Justification

- 4.1 In view of the obstructive parking practices taking place it is felt that the introduction of double yellow lines should be progressed.

5 Consultations

- 5.1 G.M.P. View - The Chief Constable has been consulted and has no objection to this proposal.
- 5.2 T.I.G.M. View - The Director General has been consulted and has no comment on this proposal.
- 5.3 G.M. Fire Service View - The County Fire Officer has been consulted and has no comment on this proposal.
- 5.4 N.W. Ambulance Service View - The County Ambulance Officer has been consulted and has no comment on this proposal.

6 Comments of Werneth Ward Councillors

- 6.1 The Ward Councillors have been consulted and do not want Grange Avenue residents to be unreasonably penalised but understand the need to prioritise road safety. The idea is to improve visibility and access at the junction along and at the entrances to Grange Avenue but we hope it will not inadvertently create more inconsiderable (pavement) parking along Grange Avenue. We would not want to see more restrictions along Grange Avenue.

7 Response to Councillors Comments

- 7.1 Due to the current parking practices on Grange Avenue and the adjoining side streets it is likely some displaced parking will occur if this proposal is successful. At this time motorists are parking directly at the junctions creating a highway safety issue for motorists, not only with regards to visibility when entering and exiting the side roads off Grange Avenue, but also obstructing manoeuvres through the junctions especially for larger vehicles including Emergency Service vehicles.
- 7.2 Should any displaced parking generate obstructive footway parking along Grange Avenue, it may be necessary to consider the introduction of waiting restrictions to stop this practice.

8 Financial Implications

8.1 The cost of introducing the Order is shown below:-

	£
Advertisement of Order	1,200
Introduction of Road Markings	500
TOTAL	1,700
Annual Maintenance Costs (calculated October 2019)	100

8.2 The advertising/road marking costs of £1,700 will be funded from the Highways Operations – Unity budget.

8.3 The annual maintenance costs estimated at £100 per annum will be met from the Highways Operations budget. If there are pressures in this area as the financial year progresses, the Directorate will have to manage its resources to ensure that there is no adverse overall variance at the financial year end.

(Nigel Howard)

9 Legal Services Comments

9.1 The Council must be satisfied that it is expedient to make the Traffic Regulation Order in order to avoid danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or for preventing damage to the road or to any building on or near the road, or for facilitating the passage on the road or any other road of any class of traffic, including pedestrians, or for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property or for preserving or improving the amenities of the area through which the road runs.

9.2 In addition to the above, under section 122 of the Road Traffic Regulation Act 1984, it shall be the duty of the Council so to exercise the functions conferred on them by the Act as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Regard must also be had to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run, the strategy produced under section 80 Environmental Protection Act 1990 (the national air quality strategy), the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles and any other matters appearing to the Council to be relevant. (A Evans)

10 **Co-operative Agenda**

10.1 In respect of this proposal there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

11 **Human Resources Comments**

11.1 None.

12 **Risk Assessments**

12.1 None.

13 **IT Implications**

13.1 None.

14 **Property Implications**

14.1 None.

15 **Procurement Implications**

15.1 None.

16 **Environmental and Health & Safety Implications**

16.1 Energy – Nil.

16.2 Transport – Nil.

16.3 Pollution – Nil.

16.4 Consumption and Use of Resources – Nil.

16.5 Built Environment – Nil.

16.6 Natural Environment – Nil.

16.7 Health and Safety – The introduction of yellow lines at the locations identified in the plans at the end of this report, will create a safer environment for both motorists and pedestrians.

17 **Equality, community cohesion and crime implications**

17.1 The introduction of yellow lines may have a negative effect on Community Cohesion as residents in this area will have to find alternative parking arrangements, but highway safety takes priority over the use of the highway for parking.

18 **Equality Impact Assessment Completed?**

18.1 No.

19 **Key Decision**

19.1 No.

20 **Key Decision Reference**

20.1 Not applicable.

21 **Background Papers**

21.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

None.

22 **Proposal**

22.1 It is proposed that a Traffic Regulation Order be introduced in accordance with the following schedule and drawing number.

Schedule

Drawing Number 47/A3/1548/1 & 2

Add to the Oldham Borough Council (Oldham area) Consolidation Order 2003, Part 1, Schedule 1

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Grange Avenue</u> (North side) From a point 92.9 metres south east of its junction with A62 Manchester Road for a distance of 8 metres in a south easterly direction	At Any Time	A, B1, B3, B4, C, E,J,K3	

	<p><u>Grange Avenue</u> (North side/ North East)</p> <p>From a point 11 metres west of its junction with Fernholme Court to a point 10 metres south east of its junction with Fernholme Court</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Grange Avenue</u> (North East side)</p> <p>From a point 10 metres north west of its junction with Selkirk Avenue to a point 10 metres south east of its junction with Selkirk Avenue</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Grange Avenue</u> (North East side)</p> <p>From a point 10 metres north west of its junction with Eskdale Avenue to a point 10 metres south east of its junction with Eskdale Avenue</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Grange Avenue</u> (North East side)</p> <p>From its junction with Chamber Road for a distance of 14 metres in a north west direction</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	

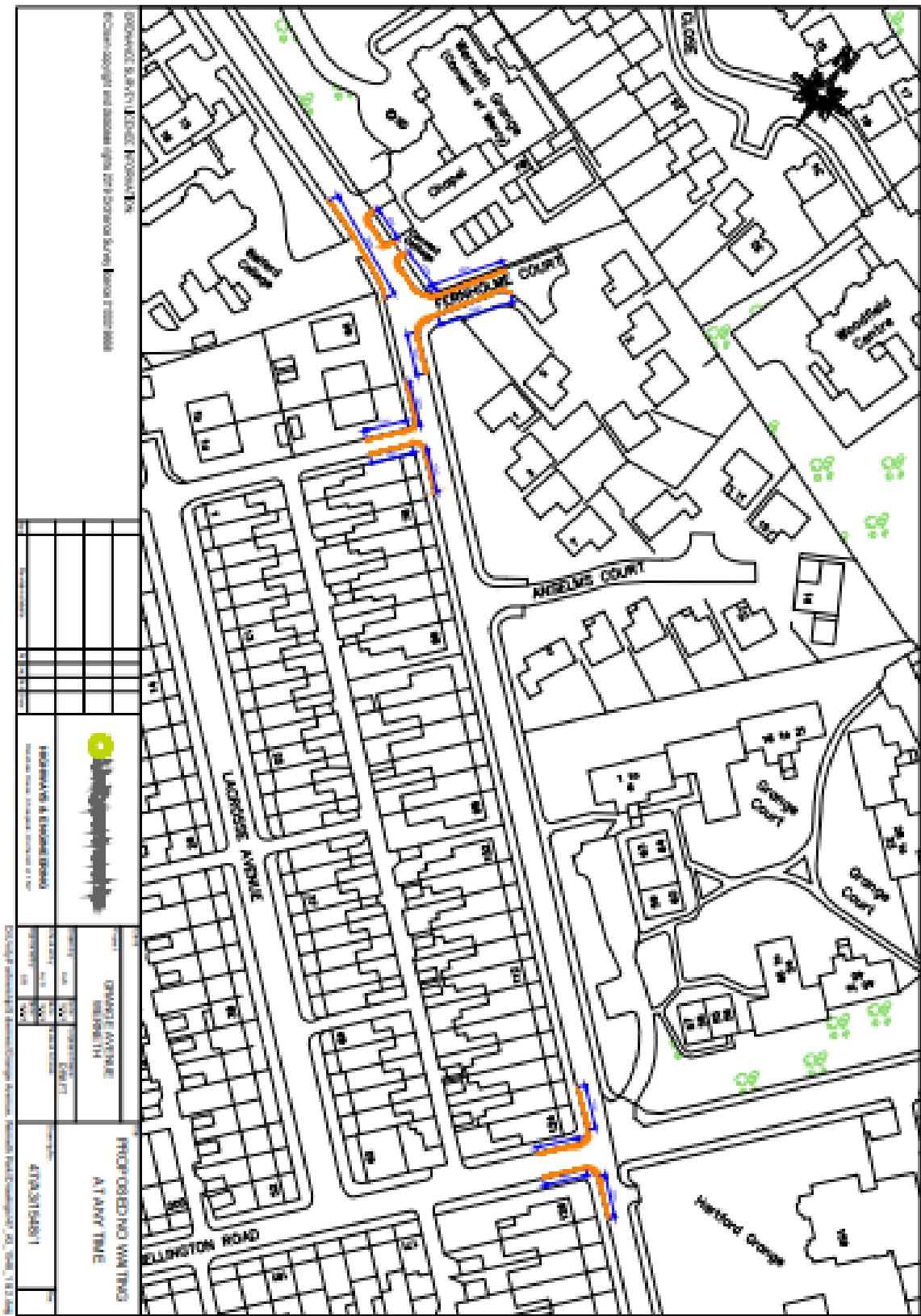
	<p><u>Grange Avenue</u> (South side)</p> <p>From a point 85.6 metres south east of its junction with A62 Manchester Road for a distance of 28 metres in a south easterly direction</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Grange Avenue</u> (South West side)</p> <p>From a point 131.6 metres south east of its junction with A62 Manchester Road to a point 157.5 metres south east of its junction with A62 Manchester Road</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Grange Avenue</u> (South East side)</p> <p>From a point 10 metres north west of its junction with Wellington Avenue to a point 10 metres south east of its junction with Wellington Avenue</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Grange Avenue</u> (South East side)</p> <p>From a point 10 metres north west of its junction with Coniston Avenue to its junction with Chamber Road</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	

	<p><u>Chamber Road</u> (North West side)</p> <p>From a point 10 metres south west of its junction with Grange Avenue to a point 10 metres north east of its junction with Grange Avenue</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Eskdale Avenue</u> (Both sides)</p> <p>From its junction with Grange Avenue for a distance of 10 metres in a north easterly direction</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Coniston Avenue</u> (Both sides)</p> <p>From its junction with Grange Avenue for a distance of 10 metres in a south westerly direction</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Selkirk Avenue</u> (Both sides)</p> <p>From its junction with Grange Avenue for a distance of 10 metres in a north easterly direction</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	

	<p><u>Un-named access road between 72 and 70 Grange Avenue</u> (Both sides)</p> <p>From its junction with Grange Avenue for a distance of 10 metres in a south westerly direction</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	
	<p><u>Fernholme Court</u> (Both sides)</p> <p>From its junction with Grange Avenue for a distance of 18 metres in a primarily north easterly direction</p>	At Any Time	A, B1, B3, B4, C, E,J,K3	

APPROVAL

<p>Decision maker</p> <p>Signed:  Cabinet Member, Environmental Services</p>	<p>Dated 05/03/2020</p>
<p>In consultation with</p> <p>Signed:  Deputy Chief Executive</p>	<p>Dated: 4 March 2020</p>



APPENDIX B

COPY OF REPRESENTATIONS

Dear Sirs

Doc Ref: TM3/1019-Grange Avenue – 18/02/22

Thank you for your letter detailing the proposed introduction of parking restrictions on Grange Avenue.

Whilst I very much welcome the proposals I would wish to make the following observations.

- 1 The most egregious example of inconsiderate parking is on the pavement for the entire length from Selkirk Avenue down to Fernholme Court. Vehicles are parked nose-to-tail for the entire length at some point on most days. The vehicles are parked on the pavement, tight against the wall, making pedestrian access, along that stretch, impossible.
- 2 Conversely, the entire stretch of the Avenue from Chamber Road to Selkirk Avenue (in front of the recently built houses) for which you are proposing to be no parking hardly ever suffers from inconsiderate parking.

I kindly request that you review the proposals to take account of my observations above.

Hi

In regards to the above proposal we are opposing to this, as it will befall more problems, we are in an area where households have multiple vehicles, hence we appreciate each other in parking sensibly with no issues. This proposal will effect everyone in various ways.

So we urge you to please scrap this proposal.

Your ref: DE/GS/TM3/1019

Dear Sir or Madam

RE: The Oldham Area Consolidation Order Prohibition of Waiting Amendment Order 2022

We are the owners and occupiers of 181 Grange Avenue and we would like to formally object to the proposal to place double yellow lines outside of and at the side of our house.

We have lived in this house for 39 years. We are now in our 80's and your proposal will mean that we will not be able to park outside of our home or at the side of our home. This will have a significant impact on our health, wellbeing and mobility. When returning to our home with our shopping bags we will have to park some distance from our home carrying heavy bags.

There are already problems parking in this area. There is insufficient parking for the houses and residents. For many years we endured parking problems when the Anselm/St Augustine School was opposite our home as the school had insufficient parking for the staff. At no time did the Council suggest double yellow lines.

As a Council you allowed a developer to build houses opposite our homes. Grange Avenue is a narrow street and, appears to have been designed not to have house opposite each other. This was a sensible approach that did not crowd the area but the Council did not follow this approach with regard to the houses that have been built opposite my home. They have effectively created the problems with the vehicles in the area and your solution is to further penalise the residents that have lived in this area for many years. I have noted that there are no plans to place double yellow lines on Chamber Rd a busy road and yet you want to place double yellow lines on the residential side street.

The houses on Grange Avenue are family homes and many have more than 1 car. Some of the new houses do not have enough room to park more than 1 car and they say their garages that are not large enough for a car. By allowing these houses to be built in this way the Council has added to the parking problems and the proposal to place double yellow lines outside the homes on my side of the street will exacerbate the parking problem.

In addition, some people will ignore the lines and park over the lines. This will mean that whilst I will not be able to park outside my home other people may do so. How does the Council plan to monitor the no waiting restrictions?

The double yellow lines will also have an impact on the value of my property should I wish to sell my home. No one wants to buy a house where they are unable to park outside or at the side of the house.

As this area is not near a town or any businesses the parking restrictions will only affect the residents living in the area and we and my neighbours clearly need to park their vehicles.

An alternative to the double yellow lines might be for the residents to have parking permits which I know has been put in place at the housing association properties at the Manchester Road end of Grange Avenue.

Dear Mr. Evans,

I am writing both in response to the proposed prohibition of waiting – Grange Avenue, Werneth and on behalf of my parents, Mr. and Mrs. Tavarozzi of 70 Grange Avenue.

My parents would like it known that they object to the above proposal, and in particular to the intention to introduce double yellow lines directly in front of their property (70 Grange Avenue).

My father drives, and is a Disabled Badge holder. My mother is not very mobile. They are fortunate, as their property has a drive, but it is difficult (and takes time) for my father to get in and out of the car, open the drive gates etc., and this would be a source of great stress for my parents.

A more general concern is that if the proposed parking restrictions were introduced then there would be a constant “battle” for the available spaces that would result in a great deal of ill feeling / conflict / unease amongst and between neighbours.

My parents are fully understanding of the need to maintain health and safety within the area, but we would ask that a better solution is found than adding restrictions in what is already a crowded area.

With Best Regards,

To Whom it may concern

Re: Proposed Prohibition of Waiting – Grange Avenue, Oldham

In relation to the letter, you sent dated 18th February and the proposal to add prohibition of waiting outside my house XXX Grange Avenue, Oldham, OL8 4EJ. I understand part of the logic behind the reason, but I have a number of issues I would like to address regarding this plan.

Firstly, is this a course of action throughout the borough of Oldham and is it consistent with all similar roads in the borough. There are several roads that have the same issues as Grange Avenue and are many that are even worse than Grange Avenue throughout the borough.

This plan will affect me, and my family greatly as where are we expected to park our cars if we cannot park them outside our own house. The street is already congested with cars and with you removing the space outside my house, can you suggest where I would park my cars? I have elderly people living at the house and this will cause them undue stress to walk a distance to the house from wherever we can find a space to park my car. The only solution I can think for this problem is if you allow or contribute towards the affected residents building a drive outside their homes for them to park their cars.

The implementation of the proposed prohibition of waiting outside my house will also have the negative affect of the value of my property. If anytime in the future I look at selling the property, the value will be less than other properties on the street as anyone who purchases the property will not be able to park the car outside the house. Is the council prepared to compensate me for the loss in value of the property?

The residents that the proposed prohibition of waiting will directly affect pay their road tax and council tax at the same rate as all the residents on the street but they will be at a direct disadvantage to everyone else in terms of finding a place to park there cars.

I sincerely hope that the council take into consideration all the points raised above about this matter and address them in the meeting that will take place before arriving at a decision.

Regards

My comments regarding the above are as follows:

I am **strongly against** the proposal. This will cause more parking problems for myself and other residents in the proposed area. I do not have a dipped pavement/ curb where I have access to the front garden so that I can park my care due the street lamppost in the way and also cost of lowering the pavement/ curb.

Secondly and most important **I need 24 access in front of the house** as my wife has difficulty walking and her sight is poor (she as a blue badge number for your reference is :N9H82H00153Y1023.

I hope my comments are taken into consideration and I look forward to hearing from you.

I am writing in regards to the proposed double yellow lines to be placed outside both our houses 72 and 74 Grange Avenue. I am against this proposition and bitterly disappointed in why this has been brought up. Firstly, I would just like to point out why the reasons for implementing this was not attached along with the rest of the proposition? You have mentioned that we would have to physically go to your office between the mentioned times to view the reasons for this proposition. My question is why? I do not see the point of it. If you are a solicitor then my understanding is all details/information, if you are on a criminal case for example, you would expect to have it present with you i.e. in discovery as opposed to chasing around place to place as to why for example a certain person is being charged with such and such a crime. It does not make any sense. At least a brief reason as to why this has been suggested should have been mentioned.

I can partially understand why you would want to put double yellow lines on the corners simply to avoid accidents etc. Nevertheless, the real question is if the motorists are causing accidents why do these particular people not look and observe before making a manoeuvre. Basically, why are these people even sat behind a steering wheel. This is basic Highway Code and driving standards, which motorists should follow even after they have passed their practical driving test. In addition, this is why we have horns, which is clearly stated in the Highway Code as to press it to alert other motorists our intentions. The list is endless and I do not need to detail everything down. My point is if certain minor individuals are responsible for causing accidents etc. then why do the rest of the people living on the street have to suffer? If someone is responsible for their actions then they are the ones who should be punished, not the innocent who get dragged into unnecessary predicaments. It is totally unfair and unjust for someone else to take the blame for someone else's crime and live with the consequences.

Putting double yellow lines outside my houses will mean we will not be able to park our cars outside the house and thus would have to park on the opposite side causing obstruction to the oncoming two-way traffic. Which also means when bringing the shopping/groceries inside will be a dangerous task in itself because if you imagine the back door being open and you are taking the shopping out of the car would it not be dangerous and risky for the person doing so having to cross the road with shopping in your hands. This will also potentially cause an overcrowding issue as this street is over 95% Pakistani and in general are very family orientated and have lots of relatives. If this proposition goes ahead then where are the family relatives meant to park their cars? It just does not work out. The way the houses are designed and built there is no way we could make a driveway out of the front gardens as it is just too small.

One big issue will be property value. If there are double yellow lines outside the property i.e. No parking then the house price will drop and also making it difficult to sell the houses in the future. There would be no interest in the properties. What do we do in this situation? Will the council compensate us for the loss? My dad scrimped and saved to acquire these houses and now their worth seems to be hovering in thin air.

One of the main reasons for not inscripting the lines outside our houses is because my elderly father has a disability in his leg after a fall in around 2009. His leg has never been right since however he can still drive properly without trouble. Despite this, I do not want my elderly dad nor does anyone to be crossing roads with his limp in his leg. It makes his life difficult. He does not need this trouble in his life at this age. He does not claim any disability benefits as he has never been in the benefits scene and has always toiled his entire life and paid all his taxes throughout his working life.

Usually you would expect double yellow lines to be printed outside four-way cross road junctions on busy roads, however our house is at a non-busy T-Junction and therefore I cannot see why there would be any need of assigning these lines on. From what I can remember as a child, I have never seen an accident happen here and I have always lived here since approximately 1985. Therefore, you can imagine why there is no need for these lines.

The way things are on our street everyone parks their cars in front of their own houses and if they have surplus cars then they end up parking in their rear gardens or elsewhere on the street and not in front of the adjacent neighbours house causing them an inconvenience. The last thing we would want is to park outside someone else's house and them kicking off with us. We really do not want that even though we could turn around and say we pay road tax as well as you do but the morality of this whole situation will not be there and thus needs to be avoided wherever possible.

We also have a neighbour living in the bungalow at number 70 Grange Avenue who has a disabled granddaughter. She is physically challenged and is on a wheel chair, which must be pushed by someone other than herself. Where the proposed yellow lines are going to be put that is the exact same spot where the disability bus parks in order to drop off the little girl. So please if you could also consider this girl before making any final decisions.

On a final note please I urge you to take our situation very seriously and please do not print the proposed 10m by 10m double yellow lines outside our houses and please consider the devastating impact it will have on parking, my father's situation, and all the above mentioned points. Indeed, I believe you will be just in making your decision.

Thank you very much for your time and help and hopefully will hear from you soon

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Report to TRO Panel

Ladhill Lane and Oak View Road (Ladhill Bridge), Greenfield – Objections to Traffic Regulation Order

Portfolio Holder:

Councillor A Chadderton, Cabinet Member for Neighbourhoods

Officer Contact: Deputy Chief Executive – People and Place

Report Author: Andrew Cowell, Traffic Engineer
Ext. 4377

16 June 2022

Reason for Decision

The purpose of this report is to consider two objections to a proposal for prohibition of waiting restrictions to be introduced at Ladhill Bridge, Greenfield.

Recommendation

It is recommended that the objections be dismissed and the proposal introduced as advertised in accordance with the schedule in the original report.

Ladhill Lane and Oak View Road (Ladhill Bridge), Greenfield – Objection to Traffic Regulation Order**1 Background**

- 1.1 A report recommending the introduction of prohibition of waiting restrictions at Ladhill Bridge, Greenfield,, was approved under delegated powers on 5th October 2021. The proposal was subsequently advertised and two letters of objection were received.
- 1.2 A copy of the approved report is attached at Appendix A and a copy of the objections are attached at Appendix B.
- 1.3 The proposal was promoted to address issues with obstructive parking at Ladhill Bridge. The nearby Cricket Club has no dedicated car park for visitors. This results in an increase in parking activity on the roads nearby when matches are played, including in the vicinity of the bridge. The areas of concern are at each side of the bridge. Due to the physical width restriction at the bridge, which is formed with raised kerbs, motorists require space to align their vehicles with the bridge and the kerbs in order to negotiate it correctly. When vehicles are parked close to the bridge this either restricts this movement and forces motorists to mount the kerbs, or on occasions leads to the bridge becoming impassable especially for wider vehicles.

2 Objections

- 2.1 Two objections were received from local residents. In summary, the objectors state that they do not support the proposal as it would make the parking situation worse for them. They would prefer the bridge to be closed to vehicular traffic and would only support the proposal if a residents parking scheme was introduced. One resident also stated that they would not support the scheme unless it was extended further along Oak View Road to address other obstructive parking issues.
- 2.3 The Council appreciates that there is a lack of on-street parking for some residents. However, the Council is not responsible for providing on-street parking but has a duty in respect of road safety matters and maintaining traffic flows.
- 2.4 Unfortunately, it would not be possible to introduce a residents parking scheme in this area. Such schemes are reserved for areas which suffer from extraneous parking over a much wider area.
- 2.5 The lengths of restriction cannot be extended under this scheme now that the legal and democratic process has started. Any restrictions recommended on Oak View Road would have to be promoted under a separate scheme.
- 2.6 Proposals to close the bridge to vehicular traffic have been met with significant resistance in the past and there are currently no plans to revisit this issue. Therefore, as the bridge currently remains open to vehicular traffic, officers feel that the restrictions are necessary.

3 Options/Alternatives

-
- 3.1 Option 1 – Introduce the proposed restrictions as advertised.
- 3.2 Option 2 – Do not introduce the proposed restrictions.
- 4 **Preferred Option**
- 4.1 The preferred option is Option 1.
- 5 **Consultation**
- 5.1 These were detailed with in the previous report.
- 6 **Comments of Saddleworth South Ward Councillors**
- 6.1 The Ward Councillors have been consulted again and Councillors Woodvine and Sheldon still support the proposal.
- 7 **Financial Implications**
- 7.1 These were dealt with in the previous report.
- 8 **Legal Services Comments**
- 8.1 These were dealt with in the previous report.
- 9 **Co-operative Agenda**
- 9.1 In respect of introducing prohibition of waiting restrictions at Ladhill Bridge, there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.
- 10 **Human Resources Comments**
- 10.1 None.
- 11 **Risk Assessments**
- 11.1 None.
- 12 **IT Implications**
- 12.1 None.
- 13 **Property Implications**
- 13.1 None.
- 14 **Procurement Implications**
- 14.1 None.
- 15 **Environmental and Health & Safety Implications**

15.1 These were dealt with in the previous report.

16 **Equality, community cohesion and crime implications**

16.1 These were dealt with in the previous report.

17 **Equality Impact Assessment Completed?**

17.1 No

18 **Key Decision**

18.1 No.

19 **Key Decision Reference**

19.1 Not applicable.

20 **Background Papers**

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

None.

21 **Appendices**

21.1 Appendix A – Approved Mod Gov Report
Appendix B - Copy of Representations

APPENDIX A
APPROVED MOD GOV REPORT

Delegated Decision

Proposed Prohibition of Waiting – Ladhill Lane and Oak View Road (Ladhill Bridge), Greenfield

Report of: Deputy Chief Executive – People and Place

Officer contact: Andy Cowell, Traffic Engineer
Ext. 4577

4 October 2021

Purpose of Report

The purpose of this report is to consider the introduction of prohibition of waiting restrictions in the vicinity of Ladhill Bridge, Greenfield.

Recommendation

It is recommended that prohibition of waiting restrictions are introduced in accordance with the plan and schedule at the end of this report.

Proposed Prohibition of Waiting – Ladhill Lane and Oakview Road (Ladhill Bridge), Greenfield

1 Background

- 1.1 Ladhill Bridge is situated at the junction of Oak View Road, Ladhill Lane and Greenbridge Lane in a conservation area of Saddleworth. It is a historic bridge and is a listed structure which carries both motor vehicles and pedestrians, although there is no dedicated footway on the bridge itself. There are both width and weight restrictions applied to the bridge. Greenfield Cricket Club is located immediately south of the bridge and a representative from the Club has made a request for waiting restrictions to be installed in the vicinity of the bridge to deal with obstructive parking.
- 1.2 The Cricket Club has no dedicated car park for visitors. This results in an increase in parking activity on the roads nearby when matches are played, including in the vicinity of the bridge. The areas of concern are at each side of the bridge. Due to the physical width restriction at the bridge, which is formed with raised kerbs, motorists require space to align their vehicles with the bridge and the kerbs in order to negotiate it correctly. When vehicles are parked close to the bridge this either restricts this movement and forces motorists to mount the kerbs, or on occasions leads to the bridge becoming impassable especially for wider vehicles.
- 1.3 The proposed restrictions on the west side of the bridge will also protect two dropped kerbs used by pedestrians. If approved, the conservation type variant of the road markings will be applied which are less visually intrusive.

2 Options/Alternatives

- 2.1 Option 1: To approve the recommendation
- 2.2 Option 2: Not to approve the recommendation

3 Preferred Option

- 3.1 The preferred option is Option 1

4 Justification

- 4.1 The proposal will ease traffic flows across the bridge, protect the raised kerbs from damage caused by vehicles and prevent dropped kerbs from being obstructed.

5 Consultations

- 5.1 G.M.P. View - The Chief Constable has been consulted and has no comment on this proposal.

5.2 T.J.G.M. View - The Director General has been consulted and has no comment on this proposal.

5.3 G.M. Fire Service View - The County Fire Officer has been consulted and has no comment on this proposal.

5.4 N.W. Ambulance Service View - The County Ambulance Officer has been consulted and has no comment on this proposal.

6 Comments of Saddleworth South Ward Councillors

6.1 The Ward Councillors have been consulted and Councillor M Woodvine has no comment and will be happy to support a TRO in this area.

7 Financial Implications

7.1 The cost of introducing the Order is shown below:

	£
Advertisement of Order	1,200
Introduction of Road Markings	500
Total	1,700
Annual Maintenance Cost (calculated April 2021)	100

7.2 The advertising and road marking costs of £1,700 will be funded from the Highways Operations – Unity budget.

7.3 The annual maintenance costs estimated at £100 per annum will be met from the Highways Operations budget. If there are pressures in this area as the financial year progresses, the Directorate will have to manage its resources to ensure that there is no adverse overall variance at the financial year end.

(Nigel Howard)

8 Legal Services Comments

8.1 The Council must be satisfied that it is expedient to make the Traffic Regulation Order in order to avoid danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or for preventing damage to the road or to any building on or near the road, or for facilitating the passage on the road or any other road of any class of traffic, including pedestrians, or for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property or for preserving or improving the amenities of the area through which the road runs.

8.2 In addition to the above, under section 122 of the Road Traffic Regulation Act 1984, it shall be the duty of the Council so to exercise the functions conferred on them by the Act as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Regard must also be had to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run, the strategy produced under section 80 Environmental Protection Act 1990 (the national air quality strategy), the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles and any other matters appearing to the Council to be relevant. (A Evans)

9 Co-operative Agenda

9.1 In respect of this proposal there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework.

10 Human Resources Comments

10.1 None.

11 Risk Assessments

11.1 None.

12 IT Implications

12.1 None.

13 Property Implications

13.1 None.

14 Procurement Implications

14.1 None.

15 Environmental and Health & Safety Implications

15.1 Energy – Nil.

15.2 Transport – The proposal will improve access along the highway.

15.3 Pollution – Nil.

15.4 Consumption and Use of Resources – Nil.

15.5 **Built Environment – Nil.**

15.6 **Natural Environment – Nil.**

15.7 **Health and Safety – The proposal will improve safety for road users.**

16 **Equality, community cohesion and crime implications**

16.1 Nil.

17 **Equality Impact Assessment Completed?**

17.1 No.

18 **Key Decision**

18.1 No.

19 **Key Decision Reference**

19.1 Not applicable.

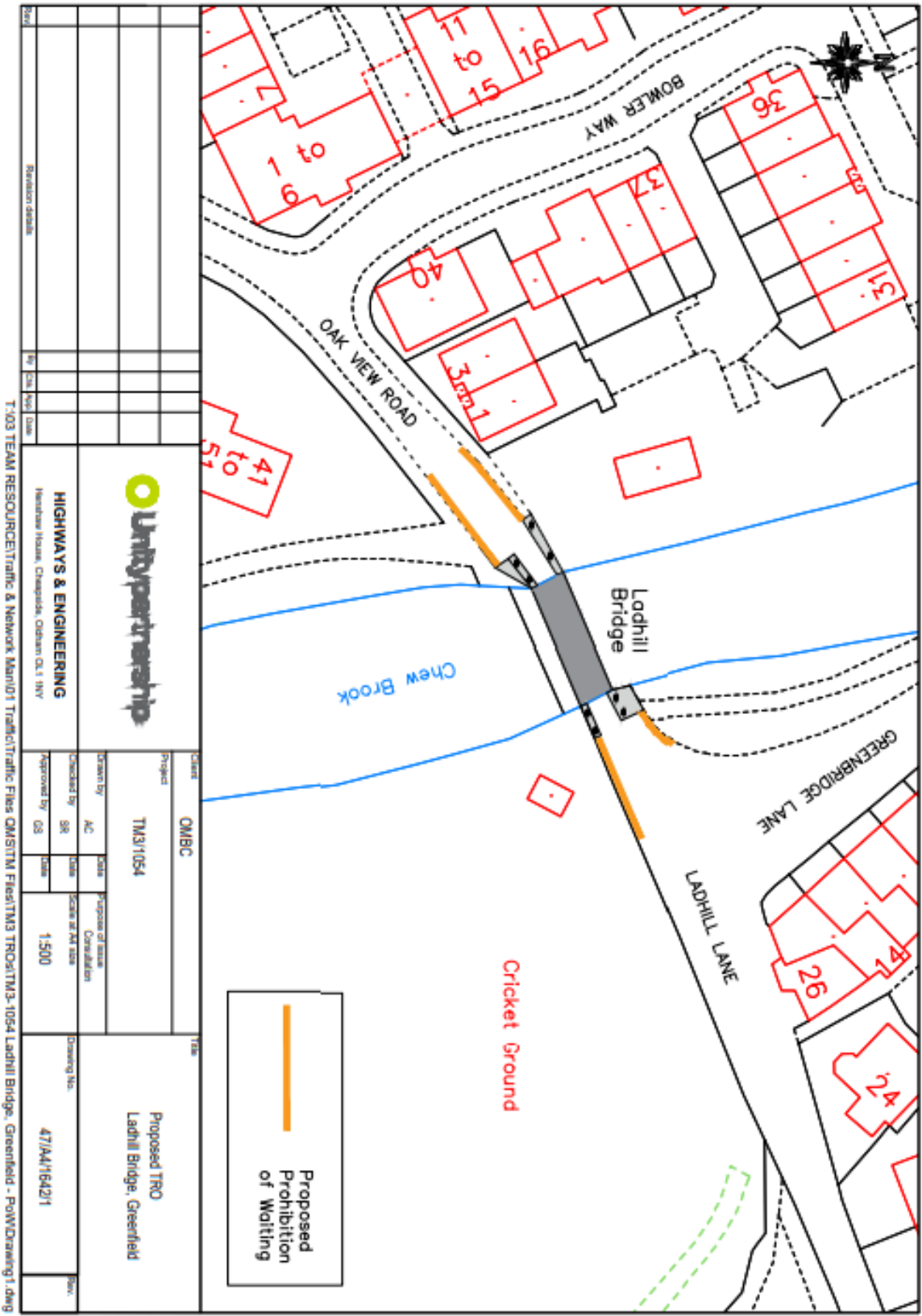
20 **Background Papers**

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

None.

21 **Proposal**

21.1 It is proposed that a Traffic Regulation Order be introduced in accordance with the following schedule and drawing number.



		HIGHWAYS & ENGINEERING Head Office, Chappell, Othman O.L.I. 11V	
Client	OMBC	Project	TM3/1054
Drawn by	AC	Scale of issue	As per plan
Checked by	SR	Scale at full size	1:500
Approved by	GS	Drawing No.	47/AA/16A/21
Proposed TRD Ladhill Bridge, Greenfield			

T:\03 TEAM RESOURCE\Traffic & Network\Man01 Traffic\Traffic Files\OMSTM Files\TM3 TRD\TM3-1054 Ladhill Bridge - Greenfield - POW\Drawing 1.dwg

Schedule

Drawing Number 47/A4/1642/1

Add to the Oldham Borough Council (Saddleworth Area) Consolidation Order 2003

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Ladhill Lane,</u> <u>Greenfield</u> South Side From its junction with Ladhill Bridge for a distance of 16 metres in an easterly direction	At Any Time		
	<u>Ladhill Lane,</u> <u>Greenfield</u> North Side From its junction with Ladhill Bridge for a distance of 8 metres in an easterly direction	At Any Time		
	<u>Oak View Road,</u> <u>Greenfield</u> South Side From its junction with Ladhill Bridge for a distance of 18 metres in a westerly direction	At Any Time		
	<u>Oak View Road,</u> <u>Greenfield</u> North Side From its junction with Ladhill Bridge for a distance of 17 metres in a westerly direction	At Any Time		

APPROVAL

<p>Decision maker Signed:</p>  <p>Cabinet Member, Neighbourhoods</p>	<p>Dated: 05.10.2021</p>
<p>In consultation with Signed: John Lamb Interim Director of Environmental Services</p>	<p>Dated: 04.10.2021</p>

APPENDIX B

COPY OF REPRESENTATIONS

Dear Sir/ Madam

Re Traffic Regulation Order; Reference LJM/20568 .

I am writing to inform you of my objection to the implementation of the above traffic regulation order. Whilst I agree that there are traffic and parking issues either side of the Pack Horse Bridge at Ladhill Lane and Oakview Road just putting yellow lines will not resolve the problem for residents unless other measures are taken.

I have lived at Primrose Bank since 1977 and during that time there have been numerous housing developments in Greenfield and surrounding areas with the consequent increase in traffic in the village. The Packhorse Bridge is used as a cut through for cars and vans (the latter frequently ignoring the weight restrictions) I am amazed that this 18th Century Bridge is still standing given the volume of traffic that goes over it. Even though there is a now a 20mph speed limit this is frequently ignored and cars speed past houses at Primrose Bank and along Greenbridge Lane. This is especially true between 7am and 9:30am and 3pm and 6: 30pm.

The other major issue for residents is parking and just putting double yellow lines at the Pack Horse Bridge will not resolve this problem and would make it worse as cars would park on the road at Primrose Bank.

(1) Parking at Primrose Bank has always been a problem during the Cricket Season but previously this was only at a weekend. Now there are matches, practice sessions and other activities on almost a daily basis. I have no objections to any of the activities at Greenfield Cricket Club but they should resolve the parking issues for visitors to their club.

(2)The housing development across from Primrose Bank does have some resident parking. However we still have cars from that development parking on the road at Primrose Bank on a regular basis.

(3) We also have cars parking at Primrose Bank when families are visiting the park or going walking. As with the cricket I have no objections to these activities but it has a major impact on residents who frequently come home and have nowhere to park.

(4) Cars often park very inconsiderately e.g. across residents gates or on the kerb. There is also a serious safety issue when cars park further down on Greenbridge Lane as space for cars to pass is severely restricted. Emergency vehicles would not be able to get through e.g. ambulances and fire engines.

I would support the introducing of yellow lines either side of the Packhorse Bridge alongside other measures i.e.

(1) Closing the Pack Horse Bridge to cars and vans.

(2)Provision of a residents parking area at Primrose Bank and along Greenbridge Lane where it is safe to do so.

Yours faithfully

The Environment Group Solicitor to Council
CIVIC CENTRE
West Street
Oldham
OL1 1UL

Planning LJM/20568 – Consultation closes 21/3/22

Traffic regulations Oak view Road and Ladhill Lane Bridge.

I am in agreement, that waiting/parking prohibit regulations are required around this bridge. The congestion of vehicles particularly at weekends can be ridiculous. Safety of pedestrians are at risk.

However, the area proposed doesn't go far enough and should be extended.

There are also problems with vehicles frequently mounting the pavement, parking and completely blocking pedestrian walk ways on Oak view road. I appreciate the High way code changes should require vehicles to give way to pedestrians, bikes, horses on the bridge but it doesn't always happen, particularly at night when the light is poor and the traffic speeds across. Drivers of vehicles are often impatient, maybe a priority as to the flow of traffic would be a help.

Yours faithfully



Report to TRO Panel

Public Path Diversion and Definitive Map and Statement Modification Order

S257 Town and Country planning Act 1990 – Diversion of Definitive Footpath 119 Saddleworth, Treetops Close, Dobcross, and S53A Wildlife and Countryside Act 1981 Modification of the Definitive Map & Statement

Portfolio Holder:

Councillor J Stretton, Cabinet Member for Neighbourhoods

Officer Contact: Gordon Anderson, Head of Highways & Engineering

Report Author: Liam Kennedy, PRow Officer

16th June 2022

Purpose of Report

To seek approval to the making of a Public Path Diversion and Definitive Map and Statement Modification Order for Footpath 119 Saddleworth, Treetops Close, Dobcross as detailed in the report.

Executive Summary

The Council has received an application from a resident of Treetops Close, Dobcross for the diversion of part of Footpath 119 Saddleworth. The footpath is situated adjacent to the rear gardens on the west side of Treetops Close, Dobcross.

The applicant has planning consent FUL/348134/21 (approved 12/04/2022) for the change of use of the landscaped area to the west of these properties to garden. The proposed diversion will skirt the proposed gardens, follow part of an existing footpath which forms part of the access to Holy Trinity C of E Primary School and terminate on Woods Lane .

The footpath cannot be diverted unless the Council approves the proposal and the respective order is confirmed unopposed or confirmed by the Secretary of State.

Recommendation

It is recommended that the Council make a Public Path Diversion and Definitive Map and Statement Modification Order for the diversion of Footpath 119 Saddleworth 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.

Public Path Diversion and Definitive Map and Statement Modification Order

S257 Town and Country Planning Act 1990 - Diversion of Footpath 119 Saddleworth, Treetops Close, Dobcross and S53A Wildlife and Countryside Act 1981 Modification of the Definitive Map and Statement

1 Background

- 1.1. In July 2017 the Traffic Regulation Order Panel granted approval to divert part of Footpath 119 Saddleworth at Treetops Close, Dobcross pursuant to planning application PA/340311/17. The diversion was required to enable residents of Treetops Close to incorporate an area of Council owned land into their rear gardens. The footpath is situated adjacent to the rear gardens on the west side of Treetops Close, Dobcross.
- 1.2 A Public Path Diversion and Definitive Map and Statement Modification Order was made and several objections to the Order were received. Attempts were made by the Council and the applicant to resolve the objections without success and in September 2019, as required when there are objections to a Public Path Diversion and Definitive Map and Statement Modification Order, the Order was referred to the Secretary of State for determination under reference ROW/3237390. One of the objectors requested an accompanied site visit with the Planning Inspector dealing with the Order. However due to the various coronavirus lockdowns during 2020-21, the site visit did not take place until June 2021, by which time the planning permission PA/340311/17 had expired and the Order could no longer be implemented.
- 1.3 Despite this, the Inspector continued to determine the Order. A copy of the Inspector's decision is attached at Appendix 1. He was unable to confirm the Order as the planning permission had expired but in his written decision he stated that in light of the time taken to arrange an accompanied site visit it was right for him to consider the substantive merits of the Order so that the Council could make an informed decision whether to resubmit the Order at some future date. He concluded that it would have been expedient to confirm the Order had it remained valid. The expectation is therefore that if a similar planning permission is obtained and a similar Public Path Diversion and Definitive Map and Statement Modification Order is made and objected to, the Order is likely to be confirmed by the Secretary of State, as the previous Order would have been if the planning permission had not expired.
- 1.4 Based on this decision, the applicant has obtained planning consent FUL/348134/21 (approved 12/04/2022) for the change of use of the landscaped area to the west of these properties to garden. The proposed diversion will skirt the proposed gardens, follow part of an existing footpath which forms part of the access to Holy Trinity C of E Primary School and terminate on Woods Lane. The footpath cannot be diverted unless the Council approves the proposal and the respective Order is confirmed unopposed or confirmed by the Secretary of State.

2 Current Position

-
- 2.1 It is considered appropriate to divert the footpath in the light of guidance from Government regarding the problems of landowners and the public where rights of way pass through gardens. It should be noted that this guidance is draft only. The proposal will move to path the perimeter of the gardens. The proposal to divert the path was included in the planning application and this has received approval. The footpath specification is as follows;
- Footpath to be 1,500mm in width along entire length, with a 5% gradient.
 - Path to be edged in 150mm x 38mm x length tanalised timber edging boards, screwed to 50mm x 50mm x 450mm pointed timber pegs every 1000mm to outside of footpath set 50mm under finished ground level.
 - Sub-base to be DTp Type1 granular sub-base, to a well consolidated finished depth of 100mm, incorporating a non-woven geo-textile liner.
 - Walking surface to be 50mm, consolidated depth, after compaction on self-binding gravel/limestone fines.
 - Any boundary fences to be installed as required by Oldham Council Planning Dept as defined in the planning approval.
- 2.2 In paragraph 7 of his decision the Planning Inspector stated that it would be unrealistic, impractical and undesirable for the approved development to co-exist with the continued presence of the public right of way.
- 2.3 The schedules to this report contain requirements relating to the detail of the diverted path which it is considered will make the path and the surroundings acceptable to users of the path the landowners and the Council.

3 **Proposal**

- 3.1 The route of Footpath 119 Saddleworth is shown on attached plan (764/A4/231/1) and follows points A-B. The path commences off Woods Lane following a north westerly direction then proceeding east to its junction with Treetops Close, Dobcross. The description of the current route is given in Schedule 1.
- 3.2 The diverted path is also shown on the plan and follows points B-C-D. The description of the diverted route is given in Schedule 2.
- 3.3 If the order is confirmed it will be necessary to modify the Definitive Map and Statement for Footpath 119 Saddleworth. The Council have an obligation to continuously review the Map and Statement. The Public Rights of Way (Combined Orders) (England) Regulations 2008 allow 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 is considered that this is appropriate in this case. The current wording for the Definitive Statement is given in Schedule 3 and the amended wording is given in Schedule 4. See Appended documents.

3 Options/Alternatives

- 3.1 Option 1: To approve the recommendation.
- 3.2 Option 2: Not to approve the recommendation.

4 Preferred Option

- 4.1 The Preferred option is to approve Option 1.

5 Informal Consultation

Parish Council

- 5.1 None received.

Footpath Societies

- 5.2 PNFS have raised concerns regarding the accessibility of the proposed diverted route. This in particular relates to the gradient of the diverted route being greater than that of the existing route. The inclusion of steps will be part of the lease and detail of the construction will be forwarded to PNFS at a later date, once received.

Ward Councillors

- 5.3 None received.

Landowners

- 5.4 The only affected landowner is the applicant.

6 Financial Implications

- 6.1 The applicant has previously paid the standard diversion fee. Due to circumstances the advertising costs will be covered by the PRoW budget.

(James Postle)

7 Legal Services Comments

- 7.1 Section 257 of the Town and Country Planning Act 1990 enables the Council to authorise the stopping up or diversion of any footpath or bridleway if it is satisfied that it is necessary to stop up or divert the footpath or bridleway in order to enable development to be carried out in accordance with planning permission granted under

the Act. In the event of objections the application will be referred to the Secretary of State who must be satisfied that it is necessary to stop up or divert the footpath or bridleway and who has a discretion as to whether to confirm the stopping up/diversion. In the exercise of that discretion the Secretary of State is obliged to take into account any significant disadvantages or losses flowing directly from the stopping up/diversion which have been raised and must also take into account any countervailing advantages to the public, along with the planning benefits and the degree of importance attached to the development. He must then decide whether any such disadvantages or losses are of such significance or seriousness that he should refuse to confirm the stopping up/diversion. As stated above, a Planning Inspector has previously decided that it would be expedient to confirm this diversion in the event of any objections. That decision should carry significant weight in the event of objections to the latest proposals.

(A Evans)

8 Co-operative Agenda

8.1 Not applicable.

9 Human Resources Comments

9.1 None.

10 Risk Assessments

10.1 None

11 IT Implications

11.1 None.

12 Property Implications

12.1 None.

13 Procurement Implications

13.1 None.

14 **Environmental and Health & Safety Implications**

14.1 None.

15 **Equality, community cohesion and crime implications**

15.1 None.

16 **Equality Impact Assessment Completed?**

16.1 Not Applicable

17 **Key Decision**

17.1 No.

18 **Key Decision Reference**

18.1 Not applicable.

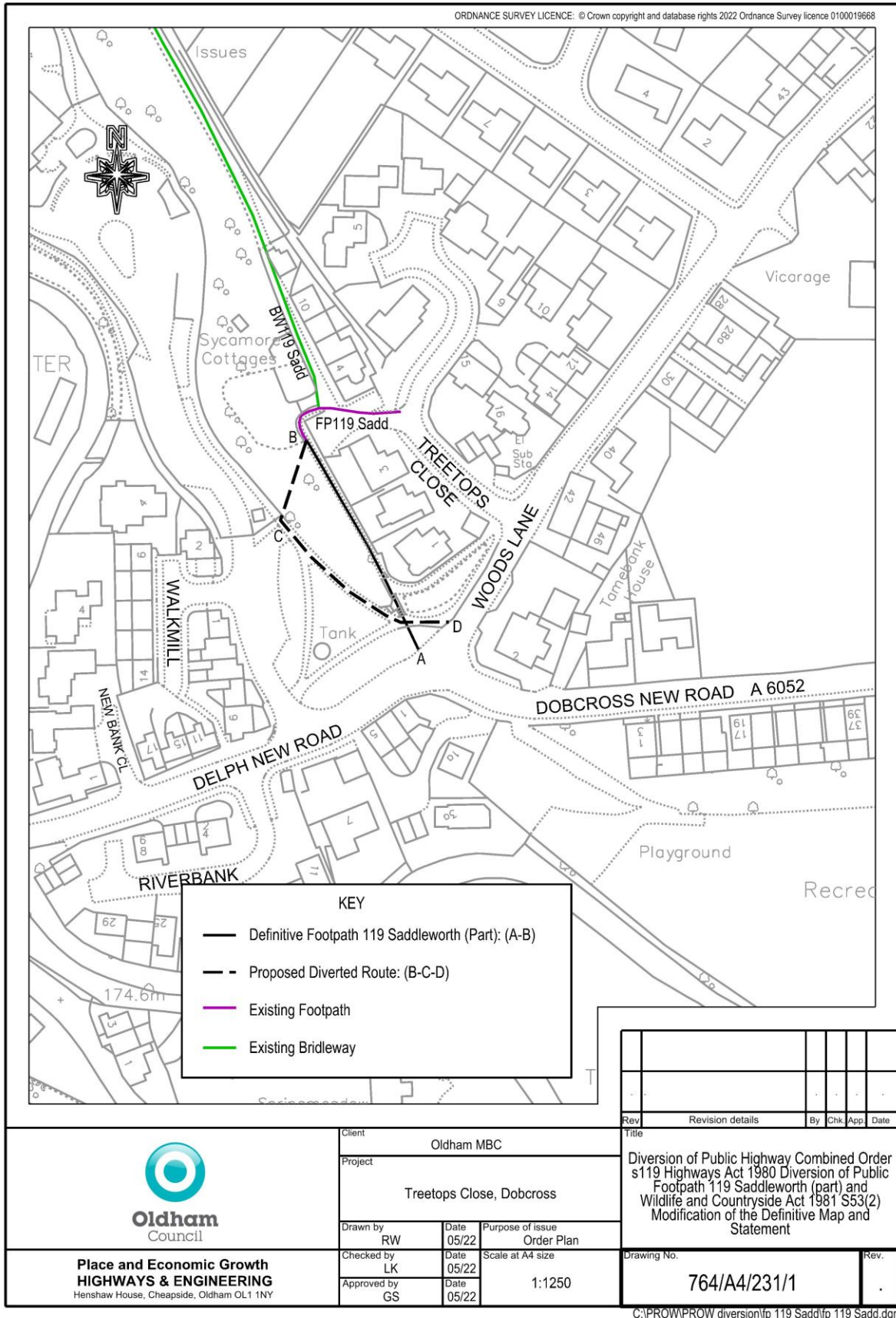
19 **Background Papers**

19.1 There are no background papers for this report.

20 **Appendices**

Appendix 1 - Planning Inspectorate Order Decision in respect of Order ROW/3237390 dated 23 June 2021

Appendix 1: Plan and Schedules



Schedule 1

Description of Existing Footpath Route – Drawing 764/A4/231/1

Existing FP 119 Saddleworth from a point A OS Map Reference 398969 406397 on the detached footway at the junction of Woods Lane and Delph New Road, Dobcross in a northerly direction for a distance of 63 metres to point B 398939 406452 adjacent to the turning head adjacent to 3 Treetops Close.

Schedule 2

Description of Proposed Diverted Footpath Route – Drawing 764/A4/231/1

Footpath 119 Saddleworth from point B (OS Map Ref 398939 406452) adjacent to the turning head adjacent to 3 Treetops Close, Dobcross in a south westerly direction for a distance of 22 metres to point C (OS Map Ref 398932 406431) on the footpath to Holy Trinity Church of England Primary School, Dobcross, then in a south easterly direction along the footpath for approximately 55 metres to point D (OS Map ref 398977 406404), having a minimum width of 2 metres, as shown on the attached map.

Schedule 3

Current Definitive Statement

District and page number	Page Number	Status	Length	Description	Comments
Saddleworth Footpath 119	6D	Bridleway + F.P.	1400 metres	Footpath commencing at its junction with Woods Lane Dobcross and proceeding in a north westerly direction to Sycamore Cottages and continuing as Bridleway in a north westerly then northerly direction to its junction with Gatehead Road with a branch footpath proceeding northward at the Mill Pond to its junction with Platt Lane	3m wide and 1.2m wide – public path order creation – confirmation date 29.05.88

Schedule 4

Modification of Definitive Statement

District and page number	Page Number	Status	Length	Description	Comments
Saddleworth Footpath 119	6D	Bridleway + F.P.	1414 metres	Footpath commencing at its junction with Woods Lane Dobcross (OS Map ref 398977 406404) and proceeding in a north westerly direction on the footpath from Holy Trinity Church of England Primary School, Dobcross for a distance of 55m to (OS Map Ref 398932 406431) then proceeding in a north easterly direction for a distance of 22m to (OS Map Ref 398939 406452) and continuing as Bridleway in a north westerly then northerly direction to its junction with Gatehead Road with a branch footpath proceeding northward at the Mill Pond to its junction with Platt Lane	2m wide public path order creation – confirmation date 29.05.88



Order Decision

Site visits made on 2 November 2020 and 8 June 2021

by D M Young JP BSc (Hons) MA MRTPI MIHE

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 23 June 2021

Order Ref: ROW/3237390

- This Order is made under Section 257 of the Town and Country Planning Act 1990 (the Act) and is known as the Oldham Borough Council (Part of Footpath 119 Saddleworth) Public Path Diversion and Definitive Map and Statement Modification Order 2017.
- The Order is dated 4 October 2017 and proposes to divert the public right of way shown on the Order plan and described in the Order Schedule. If confirmed, the Order will also modify the definitive map and statement for the area, in accordance with Section 53(3)(a)(i) of the Wildlife and Countryside Act 1981, once the provisions relating to the diversion come into force.
- There were three objections outstanding when Oldham Borough Council submitted the Order to the Secretary of State for Environment, Food and Rural Affairs for confirmation.

Summary of Decision: The Order is not confirmed.

Procedural Matters

1. I was originally scheduled to undertake an accompanied site visit on 9 November 2020. However, on 31 October it was announced that England would be entering a four-week lockdown commencing on 6 November. I therefore decided to undertake an unaccompanied site visit at short notice on November 2. However, following a complaint from one of the objectors¹, an accompanied site visit was re-arranged for June 2021. Representatives from the Council in addition to Mr Davenport, were present at that visit.

The Main Issues

2. The Order was made because it appeared to the Council that it was necessary to divert the footpath to enable development to be carried out in accordance with planning permission PA/340311/17 (the planning permission). This permission which, involves the change of use of a strip of land to the rear of 1-3 Treetops Close to residential curtilage, expired on the 26 January 2021.
3. Section 257 of the Act requires that, prior to confirming the Order, I must be satisfied that it is necessary to divert the footpath to allow the development to be carried out in accordance with a valid planning permission which has not expired by the passage of time or invalid on some other ground.
4. Although the merits of the development are not at issue, it should not be assumed that because planning permission has been granted necessitating a path closure that confirmation of an extinguishment order will automatically follow. I have a degree of discretion to consider the merits and disadvantages of the proposed closure in relation to the facts that pertain and, in reaching a

¹ Mr Davenport

decision, I am entitled to take into account the effect the Order would have on those whose rights would be extinguished by it.

5. As mentioned above, the planning permission has expired. As a consequence, there is not currently a valid planning permission and the Order cannot be confirmed. Nonetheless, in light of the time it has taken to arrange an accompanied site visit, it is right that I consider the substantive merits of the Order, so that the Council can make an informed decision whether to resubmit the Order at some future date.

Reasons

Whether it is necessary to divert the footpath to enable the development to be carried out

6. The Order concerns a small section of Footpath 119 which runs adjacent to the rear boundary of 1-3 Treetops Close in the village of Dobcross. The plan approved pursuant to the now expired planning permission shows the application site extending to the surfaced school route at the bottom of the slope. I am thus satisfied the development would encompass the existing line of Footpath 119.
7. In some situations, it is possible for a public footpath to pass through a private garden without conflict and it should not be assumed that the two must inevitably be mutually exclusive. However, in the circumstances that apply here, I accept it would be unrealistic, impractical and undesirable for the approved development to co-exist with the continued presence of the public right of way given the rather obvious privacy/security implications to the occupiers of Nos 1-3. I therefore agree that extinguishment of the Order route is reasonably necessary to enable the development to be carried out
8. On the basis of the land registry plans submitted with the Council's statement, I am satisfied that the proposed alignment shown the Order plan would be over land registered with the Council². I have noted Mr Davenport's comments to the contrary but, it is not my role to determine land ownership matters or to decide whether he is in adverse possession of the land in question, or to consider the merits of his doing so. At the site visit the Council again reiterated the point that the diversion would not encroach onto Mr Davenport's land.

Whether the development is substantially complete

9. When I visited the area there was no evidence to suggest that any works in connection with the planning permission have commenced. On that basis, I am satisfied that the development is not substantially complete.

The effect the Order would have on those whose rights would be extinguished by it

10. In reaching a conclusion on this Order, I am required to weigh the advantages to be conferred by it against any disadvantages or loss likely to arise, either to members of the public generally or to persons whose properties adjoin or are near the existing path.
11. The first point to make is that the diversion of the footpath would be fairly modest in its extent and there would be no significant inconvenience arising

² Title No. GM380350

from the additional seven metres. When I conducted my first site visit, I noted the existing route was narrow, tightly enclosed and very muddy. By contrast, the proposed route would be along a wider, surfaced path which would result in significant betterment especially in the winter months. I acknowledge the gradient between points B and C may well prove challenging for the less mobile. However, it has to be recognised that many footpaths in the area traverse steep gradients such is the local topography.

12. Moreover, and with the benefit of having walked both the existing and proposed route, I do not consider there will be any material effect on the public's enjoyment of the route nor the privacy or security of neighbouring occupiers.

Other Matters

13. Those opposing the Order have raised various concerns many of which relate to planning or private land ownership matters none of which are relevant to my consideration of this Order under Section 257 of the Act.
14. Mr Hampar on behalf of the Peak and Northern Footpaths Society, has pointed out that the proposed route would not terminate on an adopted highway. The Council accepts this and has suggested the issue could be remedied by extending the proposed route from Point C to A. As this modification would simply extend the proposed route along an existing Council owned path, I am satisfied that the Order could be modified without prejudice to any party.

Conclusions

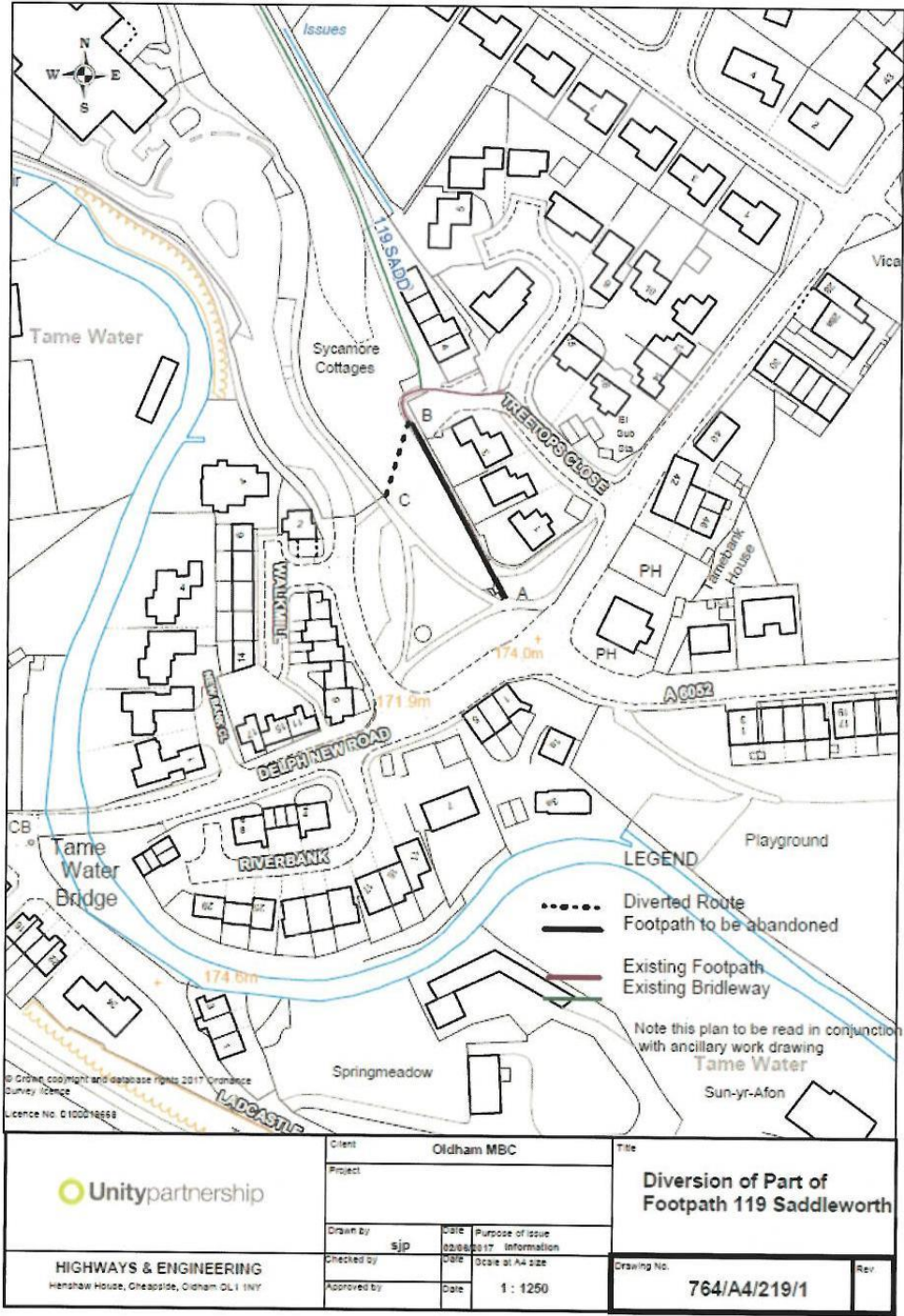
15. Having regard to these and all other matters raised in the written representations, I conclude that it would have been expedient to confirm the Order had it remained valid. However, for the reasons given in paragraph 5 of this Decision, I am unable to confirm the Order.

Formal Decision

16. The Order is not confirmed.

D. M. Young

Inspector



A. Bougatef

**ALEX BOUGATEF
GROUP SOLICITOR**

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3319/17 C