

**TRAFFIC REGULATION ORDER PANEL**  
**28/09/2023 at 5.30 pm**



**Present:** Councillor Shuttleworth (Chair)  
Councillors Salamat (Vice-Chair), Woodvine, Fryer and Kenyon  
(Substitute)

Also in Attendance:

Alan Evans	Group Solicitor
Peter Thompson	Principal Constitutional Services Officer
Andy Cowell	Highways and Engineering
Liam Kennedy	Highways & Engineering
Laila Chowdhury	Constitutional Services Officer

1           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Murphy.

2           **URGENT BUSINESS**

There were no items of urgent business received.

3           **DECLARATIONS OF INTEREST**

Councillor Woodvine declared a personal interest at agenda item 6.

4           **PUBLIC QUESTION TIME**

There were no public questions received.

5           **MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the meeting held on 27<sup>th</sup> July 2023 be approved as a correct record.

6           **OBJECTIONS TO PROPOSED PROHIBITION OF WAITING  
– CHEW VALLEY ROAD / RIMMON CLOSE, GREENFIELD**

The Chair reminded the Panel that this item was first considered in June and Officers had been asked to review the proposal with a view to relaxing the length of the proposed restrictions.

The Panel gave consideration to a report recommending the introduction of 'Prohibition of Waiting' and 'Bus Stop Clearway' restrictions at Chew Valley Road and Rimmon Close, Greenfield which was approved under delegated powers on 12 July 2022. The proposal was subsequently advertised, and four objections were received. These were reported to the TRO Panel on 15 June where it was resolved that consideration be deferred to the next meeting.

In summary, the objectors stated that the restrictions were too excessive and do not allow enough parking for parents outside the school. The objectors also wish for the area to remain unrestricted to allow tourists to park in this area at weekends. When the Dovestone Reservoir car park is full, this leads to a demand for onstreet parking in Greenfield and parking outside the school does not adversely affect residents.

Officers considered the objections but believed that the restrictions were fully justified. The scheme, in its current form, would prevent motorists from parking on both sides of the road outside the school and from parking at the two roundabouts, speed cushions, traffic island and bus stop. The scheme does allow some parking outside the school on the north-east side for around 17 vehicles alongside the wider footway, and where the road widens towards Manchester Road.

The scheme in its current form would improve two-way traffic flows along Chew Valley Road where congestion occurs at school times. It would ease vehicular manoeuvres around the mini-roundabout and prevent parking near to the pedestrian island, allowing vehicles to pass.

The Police supported the proposal in its current form.

The Ward Members had been consulted and did not support the full length of the restrictions proposed originally.

Options considered:

Option 1: Introduce the proposed restrictions as advertised

Option 2: Relax the proposed restrictions and introduce an agreed amendment

Option 3: Do not introduce the proposed restrictions

**RESOLVED** that, Option 2 be progressed and the length of the restrictions be reduced in accordance with the revised plan in Appendix C of the report (Drawing Number 47/A3/1659/2).

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## **OBJECTIONS TO PROPOSED PROHIBITION OF WAITING – DELPH NEW ROAD AREA, DELPH**

The Panel gave consideration to a report considering representations received about the proposed introduction of Prohibition of Waiting restrictions at Delph New Road, Oldham Road and Station Approach, Delph

In total, fifteen representations were received. Four representations were received from residents of Station Approach, ten were received from Gatehead Business Park and one from a resident on Oldham Road.

Officers considered the comments but as the proposal was for prohibition of waiting restrictions, which still allowed loading and unloading, officers believed that the restrictions should be introduced as advertised.

In summary, Officers considered the comments made by the business park and have proposed a relaxation to the scheme. On the south side to the west of the business park it was proposed to leave an 85-metre gap in the restrictions. The amended proposal would protect the bend and junctions whilst preserving around 17 on-street parking spaces for use by the business park, which was the focus of the objections.

The Panel gave consideration to the representations received relating to the introduction of Prohibition of Waiting restrictions at Delph New Road, Oldham Road and Station Approach, Delph

It was recommended that the proposals be introduced as advertised or as per the amended plan shown in Appendix C of the report.

Options considered:

Option 1: To approve the recommendation

Option 2: Not to approve the recommendation

**RESOLVED** that, consideration of the proposals be deferred to a future meeting of the Panel to enable Officers to investigate the provision of additional parking spaces as part of the proposals.

**NOTE:**

An Objector attended the meeting and addressed the Panel on this application.

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**OBJECTIONS TO PROPOSED PROHIBITION OF WAITING  
– MAGNOLIA GARDENS AND PRIMROSE BANK,  
OLDHAM**

The Panel gave consideration to a report considering representations received about the proposed introduction of Prohibition of Waiting restrictions at Magnolia Gardens and Primrose Bank, Oldham which was approved under delegated powers on 6 March 2023. The proposal was subsequently advertised and nineteen representations were received.

Fifteen objections were received from residents, businesses and customers of businesses located on Primrose Bank. Two objections as well as two supporting letters were received from residents of Magnolia Gardens.

If the Panel was to consider relaxing the proposed scheme, then it was the view of officers that the restrictions proposed in the main areas of concern should remain. These are around the perimeter of the play area and at the junction of Magnolia Gardens and Primrose Bank. Restrictions should also be considered on one side of Primrose Bank to increase forward visibility and improve traffic flows.

Options considered:

Option 1: To approve the recommendation

Option 2: Not to approve the recommendation

**RESOLVED** that, consideration of the proposals be deferred to a future meeting of the Panel to enable Officers to consider whether the proposed parking restrictions can be reduced in extent.

**NOTE:**

An Objector attended the meeting and addressed the Panel on this application.

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**PROPOSED PROHIBITION OF WAITING – STOCK LANE, CHADDERTON**

The Panel gave consideration to a report considering representations received about the proposed introduction of prohibition of waiting restrictions and alternative options.

A report recommending the introduction of single yellow lines on Stock Lane, Chadderton at the access/egress between residential properties 900 to 902 was approved under delegated powers on 01 February 2023.

During the advertisement of the proposed order, one objection was received. The main reasons being:-

- Loss of on street parking spaces and impact on businesses
- Proposed restrictions being excessive to address the parking/access issues.

A reduction in the extent of the proposed restrictions was identified that resolved the concerns raised in the objection and addressed the parking problems originally reported.

Ward Members were consulted and confirmed their support to reduce the yellow lines on Stock Lane

Options considered:

Option 1: Introduce the proposed restrictions as advertised

Option 2: Reduce the extent of the restrictions and provide give way and formal parking bay markings

Option 3: Do not introduce the proposed restrictions

**RESOLVED** that, as per the recommendation, Option 2 be progressed and the length of the yellow lines be reduced in accordance with the revised Schedule provided in Appendix B of the report and Drawing 47/A4/1683/1 Rev A provided in Appendix C.

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**DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER S119 HIGHWAYS ACT 1990 – (PART) DIVERSION OF FOOTPATH 152 OLDHAM, AT OLDHAM WAY, OLDHAM AND S53A WILDLIFE AND COUNTRYSIDE ACT 1981 MODIFICATION OF THE DEFINITIVE MAP AND STATEMENT**

The Panel gave consideration to a report introduced by the PRow Officer seeking approval to an application for the diversion of Footpath 152 Oldham which currently passes along the footbridge over Oldham Way, which has been removed due to vehicular strikes. It is considered that, in the interests of footpath users, the footpath should be diverted and that Officers be given delegated authority to carry out the necessary procedures with a view to confirming the Public Path Diversion and Definitive Map and Statement Modification Order in the event that no objections to the order are received.

Options considered:

Option 1: To approve the recommendation

Option 2: Not to approve the recommendation.

**RESOLVED** that the application be approved as recommended that the Council make a Public Path Diversion & Definitive Map and Statement Modification Order for the (part) diversion of Footpath 152 Oldham under Section 119 of the Highways Act 1980 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.

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**DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER S53 – WILDLIFE AND COUNTRYSIDE ACT 1981. CLAIM TO REGISTER A PUBLIC FOOTPATH AT BROOKDALE GOLF CLUB, FAILSWORTH**

The Panel gave consideration to a report introduced by the PRow Officer seeking approval to an Application submitted under Schedule 14 of the Wildlife and Countryside Act 1981, requesting that a Modification Order be made in respect of a route running across land at Brookdale Golf Club, Failsworth (the application route), which was shown on the attached location plan 764/A4/239/1.

The Application was received in respect of the application route which was claimed as a Footpath through use of the route by the public for more than 20 years.

Applications based on use by the public for more than 20 years must meet the legal tests for use 'as of right', which means use without secrecy, without force and without the permission of the landowner.

The Application was supported by User Evidence Forms, completed by 17 individuals who claimed to have used the application route for periods ranging between 5 and 79 years without challenge until the closure in 2018 of Ash footbridge, which severed the route's connection to Footpath 50 Failsworth, although some user evidence forms claimed continued use until 2021.

The evidence in support of the application needed to be considered against the statutory provisions in section 31 of the Highways Act 1980 concerning dedication of a highway through 20 years' usage.

Options considered:

Option 1: To approve the application and add the claimed route to the Definitive Map and Statement as a footpath.

Option 2: Not to approve the application.

**RESOLVED** that:

1. the application for a Modification Order in respect of a route on land at Brookdale Golf Club, Failsworth to be recorded in the Definitive Map and Statement as a footpath as detailed in Schedule 1 of the report be approved
2. The applicant be notified of the Council's decision under Schedule 14 of the Wildlife and Countryside Act 1981.

The meeting started at 5.30 pm and ended at 6.16 pm