

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

- Date Thursday 28 September 2023
- Time 5.30 pm
- Venue Council Chamber, 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 Constitutional Services in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Constitutional Services Tel. 0161 770 5151 or email
 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, 25 September 2023.
 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.

Please also note the Public attendance Protocol on the Council's Website

https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

MEMBERSHIP OF THE TRAFFIC REGULATION ORDER PANEL IS AS FOLLOWS:

Councillors Salamat, Woodvine, Murphy, Fryer and Shuttleworth (Chair)

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes of Previous Meeting (Pages 1 - 4)
The Minutes of the meeting held on 27th July 2023 are attached for approval.
- 6 Objections to Proposed Prohibition of Waiting – Chew Valley Road / Rimmon Close, Greenfield (Pages 5 - 24)
The purpose of this report is to consider all representations received to the introduction of Prohibition of Waiting and a Bus Stop Clearway restrictions at Chew Valley Road and Rimmon Close, Greenfield
- 7 Objections to Proposed Prohibition of Waiting – Delph New Road Area, Delph (Pages 25 - 62)
The purpose of this report is to consider all representations received to the introduction of Prohibition of Waiting restrictions at Delph New Road, Oldham Road and Station Approach, Delph
- 8 Objections to Proposed Prohibition of Waiting – Magnolia Gardens and Primrose Bank, Oldham (Pages 63 - 92)
The purpose of this report is to consider all representations received to the introduction of Prohibition of Waiting restrictions at Magnolia Gardens and Primrose Bank, Oldham.
- 9 Proposed Prohibition of Waiting – Stock Lane, Chadderton (Pages 93 - 104)
The purpose of this report is to consider the representations received to the introduction of prohibition of waiting restrictions and alternative options
- 10 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 (Pages 105 - 130)
The application has been considered in the light of the required removal of the



Footbridge 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

- 11 Definitive Map and Statement Modification Order S53 – Wildlife and Countryside Act 1981. Claim to register a Public Footpath at Brookdale Golf Club, Failsworth (Pages 131 - 142)

To determine an Application submitted under Schedule 14 of the Wildlife and Countryside Act 1981 (the 1981 Act), requesting that a Modification Order be made in respect of a route running across land at Brookdale Golf Club, Failsworth

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TRAFFIC REGULATION ORDER PANEL
27/07/2023 at 5.30 pm

Present: Councillor Shuttleworth (Chair)
Councillors Fryer and Kenyon (Substitute)

Also in Attendance:

Alan Evans	Group Solicitor
Kaidy McCann	Constitutional Services
Liam Kennedy	Highways & Engineering
Mohammad Shafiq	Engineer
Mark Woodhead	Traffic Engineer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Murphy and Salamat.

2 **URGENT BUSINESS**

An item of urgent business was received and was agreed to be heard at item 9 of the agenda.

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 held on 15th June 2023 be approved as a correct record.

6 **CONVERSION OF DEFINITIVE FOOTPATHS 53 & 54
CHADDERTON (DENTON LANE TO QUEENS ROAD,
CHADDERTON) INTO CYCLE TRACKS - S3 THE CYCLE
TRACKS ACT 1984 AND S53A WILDLIFE AND
COUNTRYSIDE ACT 1981**

The Panel gave consideration to a report in regard to an application received from Oldham Council highways Engineers for the conversion of Definitive Footpaths 53 and 54 Chadderton into a Cycle Track to improve sustainable travel connectivity with local schools, public transport and other key local facilities.

The Panel was advised that the footpaths between Broadway, Denton Lane and St. Luke's C of E Primary School could be undesirable routes to use during the winter months as they could pose potential safety risks due to lack of lighting infrastructure and dense vegetation encroaching on the footpaths.

The proposal aimed to provide improved connectivity with local schools, Freehold Metrolink Tram Stop (which contained secure cycle storage facilities) and other key facilities by expanding the Bee Network at that location and connecting into the new development. The work would be accomplished by delivering the following scope of works:

- Upgrading the existing pedestrian crossing on Broadway to include cycling facilities.
- Widening of 752m of footpaths through Crossley Playing Fields (which includes Public Right of Way 54 CHADD), provision of lighting and removal of vegetation, removal of steps to provide a route for walkers and cyclists to utilise throughout the year.
- Providing a safe Parallel Zebra crossing point on Denton Lane.
- Implementing 37m of parking restrictions on Robinson Street to maintain clear routes for cyclists and promote the usage of the new pocket park on Robinson St.

The Public Right of Way 54 CHADD would be widened to allow sufficient width for cyclists, including new lighting to illuminate the path throughout the year and have vegetation cut back. Public Right of Way 53 CHADD was upgraded as a part of the development and is currently signed as a shared use facility.

Options Considered:

Option 1: To approve the recommendation.

Option 2: Not to approve the recommendation.

RESOLVED that the application be approved.

7

PROPOSED PROHIBITION OF WAITING – MIDDLETON ROAD, CHADDERTON

The Panel gave consideration to a report regarding objections received to the introduction of prohibitive waiting restrictions on Middleton Road at the access/egress between residential properties 900 to 922 Chadderton.

The proposal was promoted to increase visibility and improve road safety. It would provide clear carriageway space to assist vehicle movements from the residential access.

The proposal had been approved under delegated powers on 2nd January 2023 and subsequently advertised. 90 letters of objections had been received. The basis of the objections was that there would be a loss of on street parking and the impact on neighbouring properties due to the displacement of vehicles. There would also be an increased distance required to access the Dental Surgery and increased probability of having to move surgeries.

In light of the objections, any business or residential property needed to take into consideration that on street parking within

the highway was not guaranteed when purchasing or redeveloping a property. The proposed parking restrictions would improve intervisibility.

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, the objections be dismissed and the proposal be introduced as advertised in accordance with the schedule in the original report.

8 **TRO PANEL - SALMON FIELDS, ROYTON**

The Panel gave consideration to a report regarding objections received to the introduction of road safety measures in the form of a traffic calming scheme, along Salmon Fields, Royton.

The proposal was promoted to improve road safety by reducing the speed of traffic making it a safer environment for vulnerable road users.

The proposal had been approved under delegated powers on 23rd January 2023 and subsequently advertised. 8 letters of objections had been received. The basis of the objections was that the traffic which included articulated lorries would prefer to use Turf Lane instead of going over the proposed humps. This would be a danger to lives and parked cars along Turf Lane which was not suitable for articulated lorries. There was also concern with noise from the speed cushions and road noise from HGV's, construction vehicles and local car clubs speeding up and down Salmon Fields late at night.

In light of the objections, it was recommended that a revised scheme for the traffic calming was introduced along the route comprising of a series of Road Humps in the form of Speed Cushions and Tables, and revised lining for the full length of Salmon Fields which would improve road safety by reducing the speed of traffic.

Options considered:

Option1: To approve the amended recommendation

Option 2: Not to approve the recommendation

RESOLVED that, as per the recommendation, the proposal be introduced as amended.

9 **OBJECTION TO PROPOSED PROHIBITION OF WAITING - BURNLEY LANE CHADDERTON**

The Panel gave consideration to a report regarding objections received to an experimental TRO recommending the introduction of the Prohibition of Waiting restrictions on sections of Burnley Lane (Mill Brow to Burnley Avenue), Chadderton.

The proposal was promoted following the installation of traffic islands to prevent dangerous overtaking across the hatched out middle areas of the carriageway. Inappropriate parking adjacent to the traffic islands necessitated the introduction of waiting restrictions.

The proposal had been approved and implemented in February 2022 and subsequently advertised. One letter of objection had been received. The basis of the objection was that the traffic island situated adjacent to their property severely impacted the ability to manoeuvre on and off the driveway. Furthermore, the narrowing restriction would often lead to insufficient space for longer HGV's to safely negotiate through the restriction when the resident entered the main road to travel westwards.

In light of the objection, after consultation with the local Ward Councillors and the Police it was agreed that the traffic island could be removed along with the adjacent double yellow lines. The remaining double yellow lines along that length of Burnley Lane (protecting a visibility splay) from Birch Avenue were to be retained.

Options considered:

Option 1: Relax the proposed restrictions and introduce an agreed amendment

Option 2: Re-advertise the proposed restrictions following the expiry of the experimental order on 24 August 2023

RESOLVED that, the proposed restrictions be relaxed and an agreed amendment be introduced.

The meeting started at 5.30 pm and ended at 5.41 pm



TRO Panel

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 28 September 2023

Subject: Objections to Proposed Prohibition of Waiting – Chew Valley Road / Rimmon Close, Greenfield

Report Author: Andy Cowell, Traffic Engineer

Ward (s): Saddleworth South

Reason for the decision:

A report recommending the introduction of 'Prohibition of Waiting' and 'Bus Stop Clearway' restrictions at Chew Valley Road and Rimmon Close, Greenfield 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 will be deferred to next meeting. The Panel asked Officers to look at relaxing the length of the proposed restrictions. This has been completed and is attached as Appendix C. The remainder of the report, below, is unchanged from that submitted to the TRO Panel meeting on 15 June.

One objection was received from a member of the public. Councillor Woodvine and Councillor Sheldon initially supported the proposals but following the advertisement of the scheme, both Ward Members changed their views on the length of the restrictions proposed and now do not support the scheme in its current form. The Ward Members only support the restrictions at the mini roundabout at Rimmon Close. Councillor McManus was not a ward member at the time of the first consultation but does not support the scheme in its current form either. Three identical objections were also received from parents with children at St Mary's school but once the justification for the scheme was

sent to them, none objected formally. The correspondence has been included, though, for reference.

A copy of the approved report is attached at Appendix A and a copy of the objections are attached at Appendix B.

In summary, the objectors state that the restrictions are 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 on-street parking in Greenfield and parking outside the school does not adversely affect residents.

Officers have considered the objections but believe that the restrictions are 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 it without weaving and allowing pedestrians to be seen whilst waiting at the crossing. It would protect the majority of the speed cushions, allowing them to be negotiated correctly, and therefore, reducing any potential damage to vehicles. The introduction of the 'bus stop clearway' would allow buses to access the stop and let passengers board and alight safely on the footway. TfGM supports these measures as there have been sporadic issues with parked vehicles preventing access to the bus stop. One of the main aims of the scheme is to remove the parking on the south-west side, north west of the school, where there is no footway for pupils to use. This will encourage use of the opposite footway which has been purposely widened to

improve safety for pupils. A zebra crossing has also recently been introduced to allow pupils to cross from the new wider footway to the school.

Given these safety measures already introduced, Officers do not believe it is acceptable for parents to use the south-west side for parking where there is no footway and pupils are forced to alight the vehicle into a live carriageway.

The Police support the proposal in its current form.

Summary:

The purpose of this report is to consider all representations received to the introduction of 'Prohibition of Waiting' and a 'Bus Stop Clearway' restrictions at Chew Valley Road and Rimmon Close, Greenfield.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

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

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and Councillor M Woodvine has approved the report as he requested interventions at this location

Councillor G Sheldon has commented:- I would welcome some additional yellow lines around the mini roundabout at Rimmon Close. There is no necessity to double yellow the whole length from Rimmon to the Clarence Public house. Parked cars are often a speeding deterrent, and this space is used daily as a school drop off point. It is also used at weekend by the many visitors to Greenfield. Therefore, I would support a small section of Double yellow lines but not the complete length of the road.

Councillor M Woodvine has also confirmed that he agrees with the above comments from Councillor Sheldon

Recommendation(s):

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

Implications:

<i>What are the financial implications?</i>	These were dealt with in the previous report (refer to Appendix A)
<i>What are the legal implications?</i>	These were dealt with in the previous report (refer to Appendix A)
What are the procurement implications?	None
<i>What are the Human Resources implications?</i>	None
Equality and Diversity Impact Assessment attached or not required because (please give reason)	Not required because the measures proposed are aimed at improving road safety
<i>What are the property implications</i>	None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)
Risks:	None
Co-operative agenda	These were dealt with in the previous report (refer to Appendix A)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?	Yes
Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?	Yes
Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No

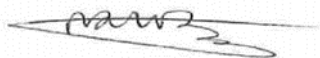
There are no background papers for this report

Report Author Sign-off:	
Andy Cowell	
Date: 16 August 2023	

Please list and attach any appendices:-

Appendix number or letter	Description
A	Approved Mod Gov Report
B	Copy of Representations
C	Revised Proposal Option

In consultation with Director of Environment



Signed :

Date: 05.09.2023

APPENDIX A

APPROVED MOD GOV REPORT

Delegated Decision

Proposed Prohibition of Waiting – Chew Valley Road / Rimmon Close, Greenfield

Report of: Executive Director for Place and Economic Growth

Officer contact: Andy Cowell, Traffic Engineer Ext. 4577

1 April 2022

Purpose of Report

The purpose of this report is to consider the introduction of prohibition of waiting restrictions at Chew Valley Road and Rimmon Close, 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 – Chew Valley Road / Rimmon Close, Greenfield

1 Background

- 1.1 Chew Valley Road is a principal road (A669) forming the main route through Greenfield in Saddleworth. At the south eastern end of Chew Valley Road there is a three arm roundabout connecting it with Holmfirth Road and Manchester Road (A635). Around 200 metres to the north-west of this roundabout is a four arm mini-roundabout connecting it with St Marys Drive and Rimmon Close. Between the two roundabouts there is a school, central pedestrian island and speed cushions. It is this area which has been the subject of complaints about indiscriminate parking.
- 1.2 There are three existing School Keep Clear markings in place outside the school, two on the south-west side where the school is located and one on the north-east side opposite. These markings protect the main crossing point outside the school entrance / exit. Prohibition of waiting restrictions are in place to the north-west of the mini-roundabout on both sides, but only extend to 15 metres on the south-east side and only on one side of the road. Restrictions are also in place from the mini-roundabout 5 metres into St Mary's Drive.
- 1.3 A footway widening scheme has recently been completed on the north-east side of Chew Valley Road opposite the school. On the south-west side to the west of the school entrance there is no footway.
- 1.4 It is reported that residents park close to the mini-roundabout and that parents park on both sides of Chew Valley Road at each side of the School Keep Clear markings.
- 1.5 Parked vehicles at the roundabout affect vehicle manoeuvres into and out of the two side streets. Parked vehicles on Chew Valley Road affect two-way traffic flows along Chew Valley Road. Parking near to the speed cushions prevents vehicles from negotiating them correctly. On the south-west side where there is no footway, the opening of car doors to let children alight in the carriageway creates a conflict with passing traffic.
- 1.6 It is therefore proposed to promote new prohibition of waiting restrictions along the south-west side of Chew Valley Road between the two roundabouts and extend the existing restrictions on the north-east side further south-east beyond the pedestrian central island and the first set of speed cushions. Restrictions will also be applied to Rimmon Close at the mini-roundabout. A new bus stop clearway will be included on the south west side to protect the existing unmarked bus stop.

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 improve two-way traffic flows along Chew Valley Road, encourage parking on the north-east side to allow children to alight safely on the wider footway, ease vehicle manoeuvres around the mini-roundabout and prevent parking near to the island and speed cushions allowing them to be negotiated safely. The bus stop clearway will allow buses to access the stop and let passengers board and alight on the footway.

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 fully supports these proposals. There has been sporadic issues with parked vehicles preventing access to the bus stop indicated on the plan and by introducing a clearway this should resolve them.
- 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 Woodvine and Councillor Sheldon support the proposals.

7 **Financial Implications**

7.1 The cost of introducing the Order is shown below

	£
Advertisement of Order	1200
Introduction of Road Markings	500
TOTAL	1700
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 revenue 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.

(John Edisbury)

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.

Schedule

Drawing Number 47/A3/1659/1

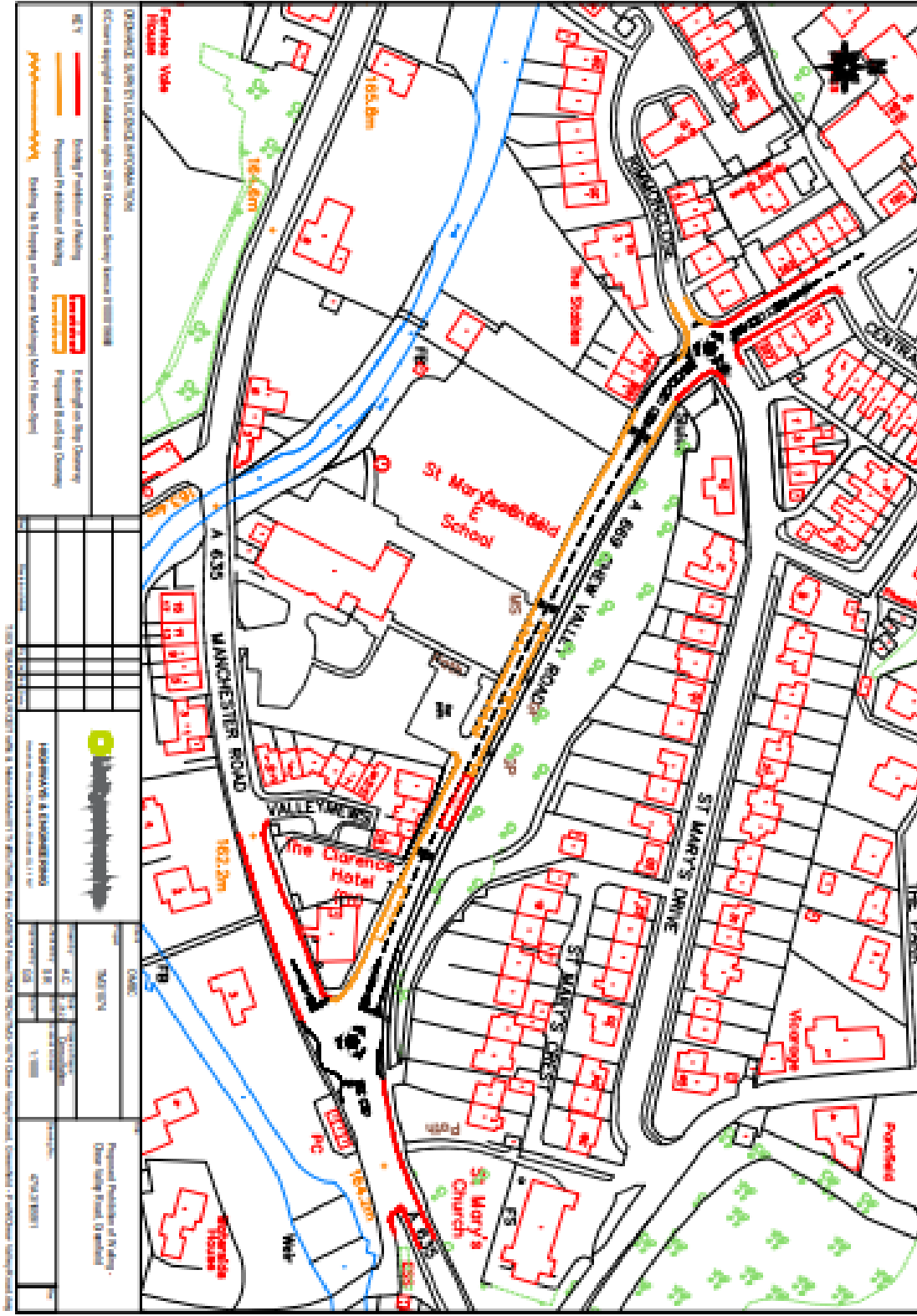
Add to the Oldham Borough Council (Saddleworth Area) Consolidation Order 2003

Part I Schedule 1 Prohibition of Waiting

Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Chew Valley Road, Greenfield</u> (South west side) From its junction with Rimmon Close for a distance of 98 metres in a south easterly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Chew Valley Road, Greenfield</u> (South west side) From its junction with Manchester Road for a distance of 95 metres in a north westerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Chew Valley Road, Greenfield</u> (North east side) From a point 15 metres south-east of its junction with St Mary's Drive for a distance of 35 metres in a south easterly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Rimmon Close, Greenfield</u> (Both sides) From its junction with Chew Valley Road for a distance of 13 metres in a westerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	

No Stopping Order (Bus Stop Clearway)

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Chew Valley Road,</u> <u>Greenfield</u> (South west side) From a point 25 metres north west of its junction with Manchester Road for a distance of 17 metres in a north westerly direction	24 Hours		



APPROVAL

<p>Decision maker</p> <p>Signed </p> <p>Cabinet Member, Neighbourhoods</p>	<p>Dated: 12 July 2022</p>
<p>In consultation with</p> <p>Signed </p> <p>Executive Director for Place and Economic Growth</p>	<p>Dated: 6 July 2022</p>

APPENDIX B

COPY OF OBJECTIONS

Objection from a Member of the Public

Good Morning,

I strongly object to the proposed scheme referenced above. It is unnecessary and an over-elaborate interpretation of the scheme proposed by local councillors over a year ago. The initial request was for a small section of double yellow lines around the mini round at Rimmon Close to improve safety and visibility. Your interpretation of this seems to be to remove the majority of the much needed on street parking at Chew Valley Rd. Not only is this section of road used for St Marys School but also offers much needed overspill for the Dovestone car parks at weekends.

Below is a much more suitable plan (restrictions shown in blue) which will address the safety and visibility concerns and minimise the chaos your scheme would cause by allowing much needed parking for residents, parents and tourists.



Much has changed since this initial scheme was concocted and now with the introduction of a new crossing (not shown on the plans) I believe these outdated plans should be scrapped and re-evaluated once the crossing has been installed.

Many Thanks

Objections from Ward Members

I am quite frustrated to see this. I asked for a simple scheme around the junction of Rimmon and St. Mary's Drive to aid visibility.

Now this outrageous scheme has been proposed which will cause chaos for all. We as the Councillors for SS have not been consulted and object strongly to this.

We still want the original plan for the roundabout as I requested over a year ago. The residents on Rimmon have waited much longer than necessary due to this ridiculous TRO.

Please prioritise the plans for the roundabout and dispense with the rest.

I have spoken with Max and Chris over the last few days and we are concerned about the full length of yellow lines as you propose. There is limited parking around the school for parents to drop off their children and these proposals will only make matters worse. I support the double yellows by the mini roundabout but object to the whole road becoming no waiting, from Rimmon to the Clarence.

Please will you take this email as a formal objection to the proposal as it stands from myself.

Regards

I have been made aware of this by a letter going out to the parents of St Mary's school and have received concerns from several parents.

Whilst I was not part of the original process and unable to voice my concerns (being elected in May) this will cause an already bad situation to get considerably worse.

The TRO in the current format simply will not work.

Please take this email as my formal objection.

Please note my objection is around the full-length yellow lines that have been included and not the yellow lines around the roundabout.

Kind regards,

Identical Correspondence from Three Parents and Response

I am writing to object to the proposed Traffic Regulation Order on Chew Valley Road, Greenfield.

As a parent of children at Greenfield St. Mary's School and a local resident I believe that this order will cause more problems than it solves.

Currently, during school pick-up and drop-off (maximum time-frame 30 mins a day), parents park along the walled side (South side) of Chew Valley Road. The school car park is not big enough to fit all parents' cars.

If the whole walled section of Chew Valley Road is off-limits, most of those cars will need to relocate to Manchester Road, which would cause more problems than it solves. There are already parking restrictions on Manchester Road and, as there is more residential housing, it is already much busier than Chew Valley Road.

It seems reasonable to keep the walled side (South side) of Chew Valley Road open to parking and then, to avoid any double parking, introduce double yellow lines on the opposite side of the road (North side). There is ample space for a row of parked cars and for the road to be a functional 2-way street.

In conclusion: The proposed section for parking is not big enough for the amount of school cars and also requires the children to cross a road unnecessarily. It also forces the majority of parents to park on Manchester Road, which is already busy with residential houses/cars and existing parking restrictions. This problem will only get worse during the summer when Dovestone parking requirements increase.

Please do get in touch if you have any further questions.

Regards

Response

Thank you for your email.

The scheme provides many road safety benefits as described in the justification below and is supported by the Police, TfGM and ward members.

The main focus of the scheme is to remove the parking on the south-west side, north west of the school where there is no footway for pupils to use. This will encourage use of the opposite footway which has been purposely widened to improve safety for pupils. Pupils currently cross the road outside the school and can be aided by parents and the school crossing patrol when one is in operation.

If parents have to drive to the school then there are other options such as St Mary's Drive for instance.

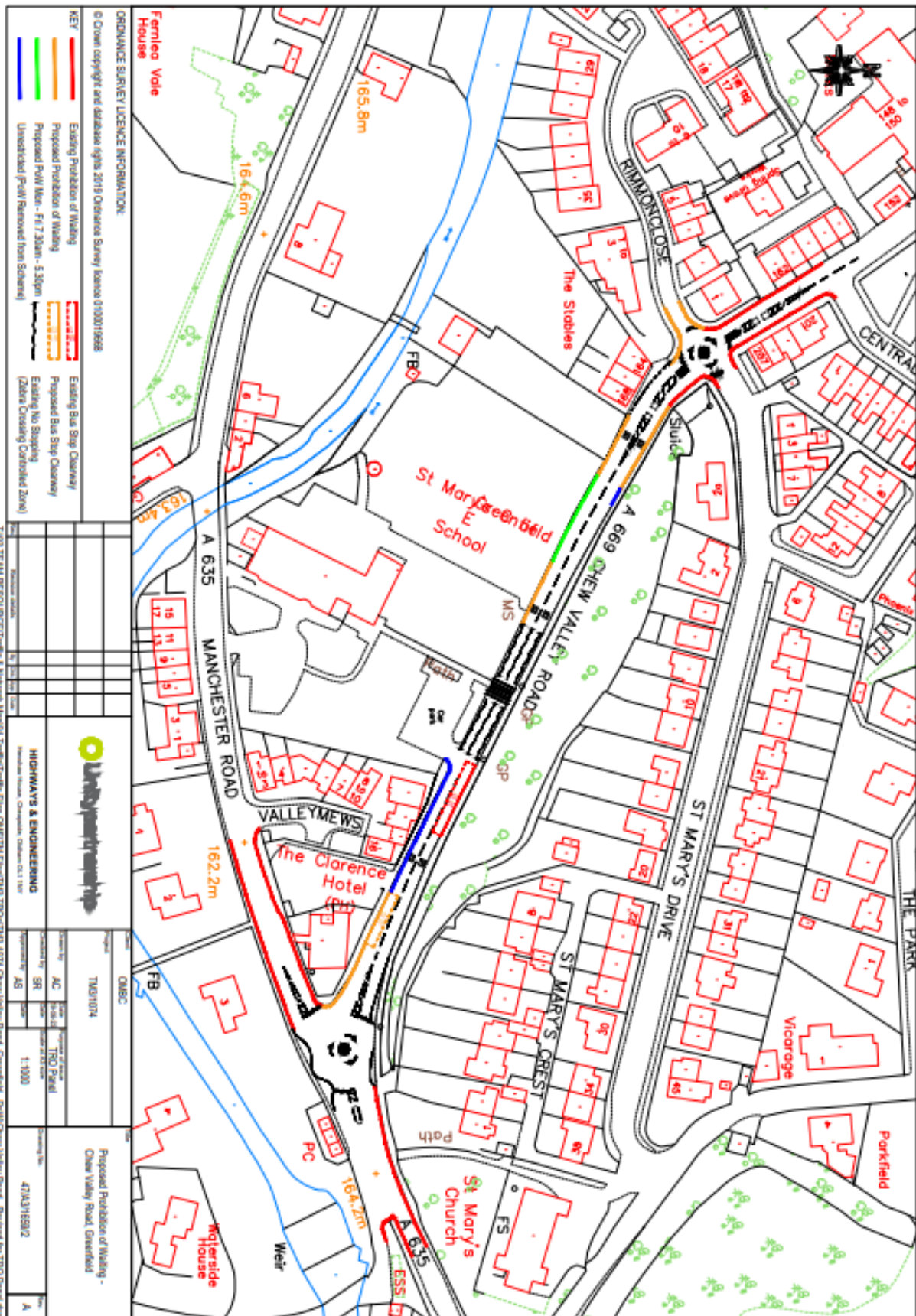
Justification

The proposal will improve two-way traffic flows along Chew Valley Road, encourage parking on the north-east side to allow children to alight safely on the wider footway, ease vehicle manoeuvres around the mini-roundabout and prevent parking near to the island and speed cushions allowing them to be negotiated safely. The bus stop clearway will allow buses to access the stop and let passengers board and alight on the footway.

Please let me know if you still wish to object to the proposal now that you have more information about the scheme.

APPENDIX C

REVISED PROPOSAL OPTION



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TRO Panel

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 28 September 2023

Subject: Objections to Proposed Prohibition of Waiting – Delph New Road Area, Delph

Report Author: Andy Cowell, Traffic Engineer

Ward (s): Saddleworth North

Reason for the decision:

A report recommending the introduction of Prohibition of Waiting restrictions in the Delph New Road area of Delph was approved under delegated powers on 1 August 2022. The proposal was subsequently advertised and fifteen objections were received.

A copy of the approved report is attached in Appendix A and a copy of the objections are attached in Appendix B.

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. Councillor Lancaster and Councillor Byrne initially supported the scheme when consulted in 2022 but following objections from the business park, both withdrew their support for the scheme.

In summary, the residents of Station Approach support the restrictions on Delph New Road but request that the proposed restrictions on Station Approach are relaxed to maintain as much parking space as possible for residents and visitors. The majority of the representations received were from Gatehead Business Park in objection to the scheme. The businesses state that the scheme would remove valuable on-street parking space currently used by

employees and visitors to the business park. A resident from Oldham Road was concerned that the proposed restrictions would affect loading and unloading.

Station Approach

The residents at Station Approach state that they understand the reason for the proposed restrictions on Delph New Road and support these measures to improve safety at this location. However, residents are concerned with the length of the proposed restrictions on Station Approach as some of this space is currently used by residents and visitors. Residents have therefore requested a reduction in the length of the proposed restrictions.

Oldham Road

A resident of Oldham Road states that removing the short section of parking on the north side of Oldham Road, Delph seems unnecessary. It is used infrequently other than by the Postal Service when collecting from the post box and for residents to load and unload their vehicles for short, infrequent periods.

Officers have considered the comments but as the proposal is for a prohibition of waiting restrictions, which still allow loading and unloading, officers believe that the restrictions should be introduced as advertised. Officers have also witnessed vehicles parking fully on the footway (see photo 5 in appendix D).

Delph New Road

A number of objections were received from businesses on Gatehead Business Park, which is situated on the south side of Delph New Road. The main points raised by the objectors are detailed below along with the Council's response to each one. In light of the objections received, Officers have proposed a relaxation to the scheme to maintain some on-street parking close to the business park, although this could potentially lead to complaints if it starts to affect movements into and out of Station Approach, especially when the new development is completed off Station Approach. The plan is attached at Appendix C.

Officers believe that the restrictions on Delph New Road between Oldham Road and Station Approach are fully justified. Referring to images 1 to 4 attached at Appendix D, taken on 3 August clearly show the footway blocked by parked vehicles and motorists unable to pass HGVs on the bend. Image 3 shows motorists driving over the footway to pass on-coming traffic.

Summary of Objections and Officers response (*in italic*)

Although off-street parking is available within the site, some parking associated with the business park spills out onto the highway. The businesses believe that the proposed restrictions will have an adverse effect on each of their businesses and do not believe that the parking problem on Delph New Road warrants the length of restrictions proposed.

The length of the restrictions proposed was to cater for any displacement. A proposed relaxation to the scheme would maintain some on-street parking spaces for the businesses to use, albeit in a different location and away from the bend.

The proposal will affect both customers and staff and have a detrimental effect on each business. This could lead to businesses closing or having to relocate which will affect the local economy.

A proposed relaxation to the scheme would maintain some on-street parking spaces for the businesses to use.

Motorists park further along Delph New Road and along the A62 in Delph. This causes no issues and no restrictions are proposed here.

When a scheme is devised for new parking restrictions, Officers often extend the scheme out to a wider area to cater for any displacement that may occur and to address any other reported or identified safety or access issues to achieve economies of scale in traffic order costs. However, there must be a sensible boundary to the scheme and areas further away must be dealt with under a separate proposal.

The road is wide enough to accommodate parking without any major effect on traffic flow

The existing road width (7m) is inadequate to allow parking on or close to a bend on a road of this status. Motorists generally park partly on the footway which helps maintain two-way flows. However, this often obstructs the footway and when vehicles do park fully on the carriageway this does affect the two-way flow of traffic especially for larger vehicles. The effect of vehicles parked on or close to a bend is to force motorists across the centre line in conflict with opposing traffic. See photographic evidence (images 1 to 4) in Appendix D.

No parking occurs in some of the areas restricted.

The length of the restrictions proposed was to cater for any displacement.

When planning permission was given for Gatehead Business Park, a site designated for employment, the council policy was a “minimum” for parking spaces. The policy at the time was that people should use public transport, or other environmentally friendly means, to arrive at their place of work. • You are aware that there are insufficient bus services to Oldham rural locations. Additionally, since the covid pandemic, there is a reluctance to use public transport.

A relaxation to the scheme would maintain some on-street parking spaces for the businesses to use.

The length of the proposed restrictions is too extensive and may displace parking into other areas.

The wider areas included in the advertised proposal were areas where parking may be expected to transfer to and considered important enough to protect given the geometry and classification of road involved. However, a relaxation to the scheme would maintain some on-street parking spaces for the businesses to use so no displacement would occur. The areas included in this scheme will also be protected for any future changes to on-street parking activity.

The letter is dated 26th January 2023 and encloses the notice. The notice encloses the order, dated 27th January 2023. How can a letter dated the 26th enclosed a notice from the 27th which has not yet been issued. The letter was also received on the 25th January, so why was it dated 26th? I believe that this notice is invalid and should be withdrawn.

The letters were posted in advance simply because it was more convenient for the Officer to post them on that date. Sending letters out earlier than planned doesn't invalidate any subsequent order, provided we take account of all representations received before the closing date for representations.

None of the businesses were consulted on the proposal.

As with all TROs, the Council followed The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 in advertising this proposal, which involved publishing a notice of intent in the local newspaper and posting copies on site. There is a list of statutory consultees such as GMP and TfGM. The Council do not generally consult with persons whom it believes may be affected by a proposal as there may be supporters of the scheme who would not be afforded the same opportunity to make representations. Supporters of a scheme may be regular users of the highway and not necessarily local residents or businesses. The TRO advertising process is a form of consultation in itself, where any member of the public can make representations, not just those consulted directly.

I find it disingenuous that Cllr Byrne and Councillor Lancaster were said to be in favour of the proposal in the Officer's reasoning for the parking restrictions.

The comments included in the report were received via email from both ward members in May and June 2022.

In summary, Officers have 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 is

proposed to leave an 85m gap in the restrictions. The amended proposal will 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.

Officers have considered the comments made by residents of Station Approach and have proposed a relaxation to the scheme. The length of restrictions will be reduced to 10 metres on the east side and to 30 metres on the west side. This will protect the junction and the outside of the bend where there is also a future development access proposed. It will preserve the majority of the on-street parking space along Station Approach for residents and visitors to use. The safety of road users will not be compromised by reducing the lengths of restriction. The road is a cul-de-sac with low traffic volumes and speeds and the main reason for the proposed restrictions on Station Approach was to simply to protect the road from any nuisance parking displaced from Delph New Road.

Summary:

The purpose of this report is to consider all representations received to the introduction of Prohibition of Waiting restrictions at Delph New Road, Oldham Road and Station Approach, Delph

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Option 1: Introduce the proposed restrictions as advertised
Option 2: Relax the proposed restrictions and introduce the amended proposed as shown in Appendix C
Option 3. Do not introduce the proposed restrictions

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and Councillor P Byrne supports the amended proposal and has spoken to the residents of Station Approach who are aware of the proposal

Councillor G Harkness- there has been some concern over parking on Delph New Road and following a site visit where the problems were outlined in detail. Based on the objections raised to the original concerns and taking into account the safety issues that are occurring and potential displacement I would support the amended reduced restrictions

Recommendation(s): It is recommended that the proposal be introduced as advertised or as per the amended plan shown in Appendix C.

Implications:

*What are the **financial** implications?* These were dealt with in the previous report (refer to Appendix A)

*What are the **legal** implications?* These were dealt with in the previous report (refer to Appendix A)

What are the **procurement** implications? None

*What are the **Human Resources** implications?* None

Equality and Diversity Impact Assessment attached or not required because (please give reason) Not required because the measures proposed are aimed at improving road safety

*What are the **property** implications* None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)

Risks: None

Co-operative agenda These were dealt with in the previous report (refer to Appendix A)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

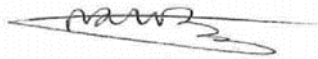
There are no background papers for this report

Report Author Sign-off:	
Andy Cowell	
Date: 16 August 2023	

Please list and attach any appendices:-

Appendix number or letter	Description
A	Approved Mod Gov Report
B	Copy of Representations
C	Proposed Relaxation Plan

In consultation with Director of Environment



Signed :

Date: 15.09.2023

APPENDIX A

APPROVED MOD GOV REPORT



Oldham
Council

Delegated Decision

Decision Maker:	Emma Barton, Executive Director for Place & Economic Growth
Portfolio area:	Cllr J Stretton – Portfolio Holder for Neighbourhoods
Date of Decision:	28 June 2022
Subject:	Proposed Prohibition of Waiting and Bus Stop Clearway – Delph New Road, Delph
Report Author:	Andy Cowell, Traffic Team Ext. 4577
Contact Officer:	Gordon Anderson, Head of Highways and Engineering
Ward(s) Affected:	Saddleworth North

Purpose of Report

The purpose of this report is to consider the Council's response to a number of concerns about vehicles parking on the bend on Delph New Road and also at the entrance to Station Approach, a residential cul-de-sac located nearby. It is reported that the parking activity is associated with Gatehead Business Park.

Officers have inspected the location and support new restrictions to address the issues reported.

Recommendation

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

Proposed Prohibition of Waiting and Bus Stop Clearway – Delph New Road, Delph

1 Background

- 1.1 Delph New Road forms part of the A6052 principal route connecting Dobcross with Delph. At its northern end, just south of the village, it connects with the A62 and forms a staggered cross-roads with The Sound. On the approach to the cross-roads there is a bend in the road with no existing restrictions in place to control parking.
- 1.2 The Highways Department of the Council recently received reports of vehicles parking on the bend on Delph New Road and also at the entrance to Station Approach, a residential cul-de-sac located nearby. It is reported that the parking activity is associated with Gatehead Business Park.
- 1.3 Gatehead Business Park is located to the west of the bend and although there are dedicated parking facilities within the site, parking often spills out onto the highway onto Delph New Road and Station Approach. Concerns have been raised that motorists are forced into the opposing carriageway when travelling along Delph New Road due to the vehicles parked on the bend and also that visibility is affected for motorists emerging from Station Approach when vehicles park near to the junction. Vehicles parked on Station Approach itself also hinder access and egress.
- 1.4 Officers have inspected the location and support new restrictions to address the issues reported. However, to prevent vehicles being displaced into other problematic areas, the proposal has been extended out to include a wider area to include a second bend further west along Delph New Road, a bus stop lay-by on Oldham Road and the north side of the staggered cross-roads.
- 1.5 It is proposed to promote new prohibition of waiting restrictions on Delph New Road, Oldham Road, Huddersfield Road, The Sound and Station Approach as detailed on plan 47/A3/1668/1.

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 is Option 1

4 Justification

4.1 If approved, the proposal will:

- increase visibility along Delph New Road for motorists exiting Station Approach and Gatehead Business Park
- improve access and egress at Station Approach
- reduce the conflict between opposing traffic along Delph New Road on the bend
- enable buses to access the bus stop lay-by unhindered
- prevent obstructive parking at the cross-roads

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 Saddleworth North Ward Councillors

6.1 The Ward Councillors have been consulted and Councillors Lancaster and Byrne support the proposal. Councillor Byrne also stated that it is regrettable that we need to do this but we have tried everything else within reason.

7 Financial Implications

7.1 The cost of introducing the Order is shown below

	£
Advertisement of Order	1200
Introduction of Road Markings	1000
TOTAL	2700
Annual Maintenance Cost (calculated April 2021)	100

7.2 The advertising & road marking expenditure of £2,700 will be funded from the Highways Operations – Unity revenue 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.

(John Edisbury)

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.

- 8.3 In relation to the bus stop clearway, these can be introduced without the need for a Traffic Regulation Order. The Council has introduced an approvals procedure for dealing with bus stop clearways which to a large extent mirrors the procedure to be followed when making Traffic Regulation Orders. It is recommended that the approval procedure be followed.

(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 – N/A**

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes


Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No


There are no background papers for this report

Report Author Sign-off:	Andy Cowell
	Gordon Anderson
Date:	21 June 2022

Approved by:

Signature:  Date: 23 June 2022
Emma Barton, Executive Director for Place and Economic Growth

In consultation with

Signature:  Date: 1st August 2022
Cllr Jean Stretton, Portfolio Holder for Neighbourhoods

Proposal

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

Schedule

Drawing Number 47/A3/1668/1

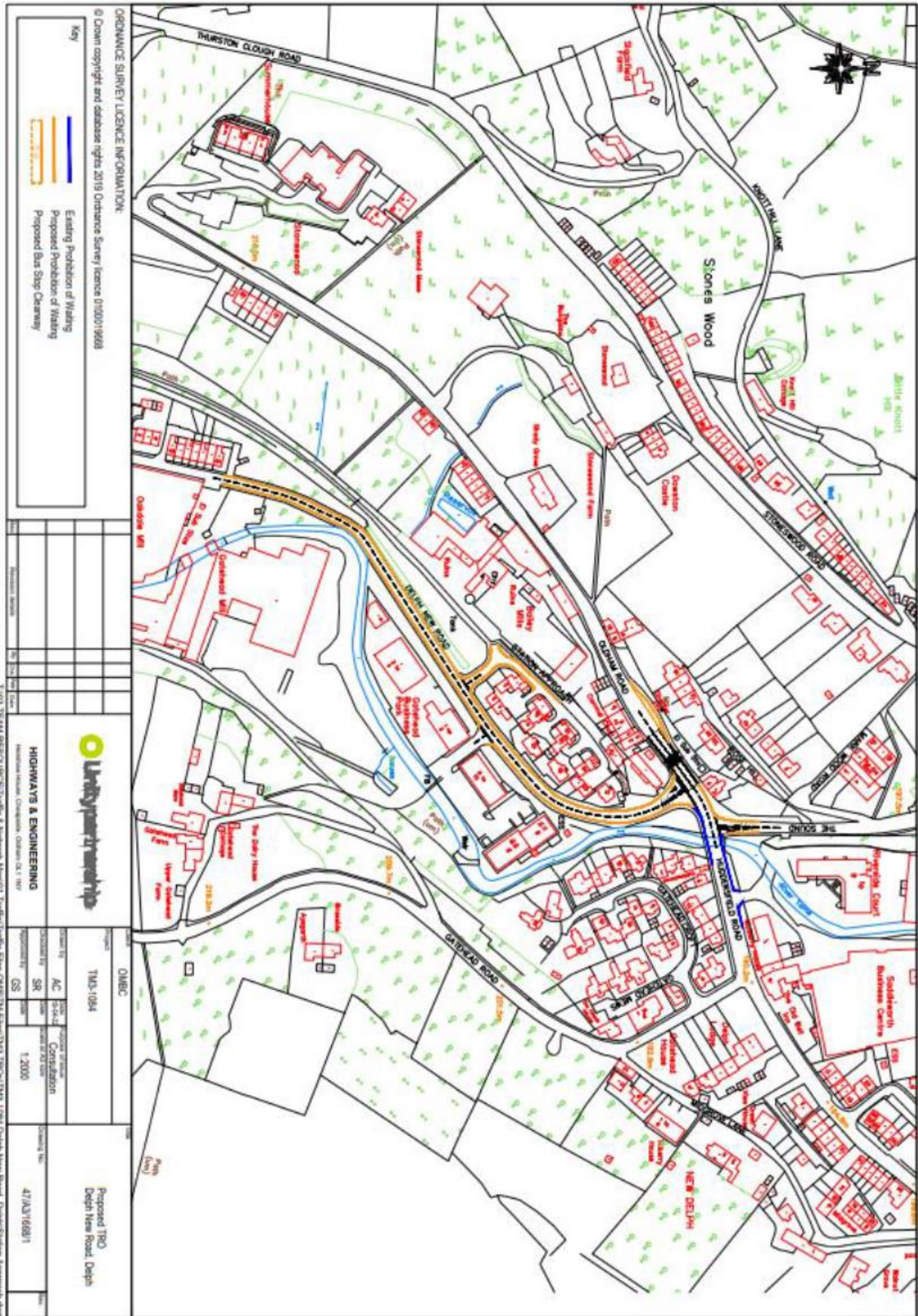
Add to the Oldham Borough Council (Saddleworth Area) Consolidation Order 2003

Part I Schedule 1 Prohibition of Waiting

Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Delph New Road, Delph</u> (Both sides) From its junction with Oldham Road (A62) for a distance of 380 metres in a general south westerly direction measured along centre line of the carriageway	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>The Sound, Delph</u> (Both sides) From its junction with Oldham Road / Huddersfield Road (A62) for a distance of 25 metres in a northerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Station Approach, Delph</u> (West and northerly sides) From its junction with Delph New Road for a distance of 90 metres in a northerly and then easterly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Station Approach, Delph</u> (East and southerly sides) From its junction with Delph New Road for a distance of 50 metres in a northerly and then easterly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	
	<u>Oldham Road, Delph</u> (North west side) From its junction with The Sound for a distance of 25 metres in a south westerly direction	At any time	A, B1, B2, B3, B4, C, E, F, J, K5	

No Stopping Order (Bus Stop Clearway)

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Oldham Road, Delph</u> (North side) In the lay-by from a point 55 metres south west of its junction with The Sound for a distance of 45 metres in a south westerly direction	24 Hours		



APPENDIX B
COPY OF OBJECTIONS

Station Approach

Objection 1

I am emailing to say we live on Station approach and have been advised that there will be double yellows all the way up the street.

I know this is used as overflow for the neighbours to park and the houses would struggle if these were to go ahead.

I understand the issue with people parking from delph new road but the neighbours would also struggle with this.

Also when is this work due to start as we didn't receive a letter at all but was given the details via a neighbour.

Objection 2

We are writing with reference to the above Proposed Parking Restrictions to Delph New Road/The Sound/Station Approach/Oldham Road Delph. We are in total support of the restrictions planned for Delph New Road as this has been an increasing problem over the last 12 months.

We do object to the restrictions on Station Approach. Whilst we understand and agree that restrictions will in turn be required for Station Approach to stop cars that usually park on Delph New Road from parking on Station Approach we do ask that you reconsider the length of the restrictions. Station Approach already has limited parking for residents and this would reduce it even further. Can the proposed parking restrictions be reduced to the immediate road leading from Delph New Road but NOT extend round the bend further into Station Approach.

I hope you will consider our request and if you wish to discuss further please do not hesitate to contact me

Objection 3

Firstly, we understand and acknowledge the increasing traffic flow difficulties along Delph New Road as a consequence of on road parking by users and tenants of Gatehead Business Park, Delph. As residents of Station Approach, we have experienced our own difficulties exiting out of Station Approach onto Delph New Road due to cars parking directly on Delph New Road opposite entrance to Station Approach meaning visibility is very poor to exit Station Approach and also dangerous due to cars having to drive on the wrong side of the road to navigate past parked cars then into the path of oncoming traffic.

We have also witnessed the difficulties that buses in particular and other road users are having on Delph New Road navigating these obstructions especially on the blind bend as you come onto Delph New Road from Huddersfield Road and is only a matter of time before an accident happens.

We therefore support the council officers recommendations for waiting restrictions on Delph New Road.

Similarly we appreciate that the presumable consequence of waiting restrictions on Delph New Road would then have vehicles seeking alternative source of on-street parking and possibly onto Station Approach.

However we do have concerns about the extent of yellow lines planned for Station Approach and would request a relaxation of the schemes proposals for Station Approach in particular.

When Station Approach was constructed (and we were the first residents to take up occupancy in 2004) each property was assigned only one parking space. This was either (dependent on house location and type) in an allocated courtyard space, a garage or carport. A limited number of visitors spaces were provided. For example the first courtyard parking provision was 4 allocated courtyard spaces and one carport for 5 residences. Inevitably, the majority of residents, whether house or

apartment occupiers, had more than one car resulting in overflow parking in non designated courtyard areas, double parking in spaces or using the visitors spaces. In addition some parking has always taken place on Station Approach itself (opposite the entrance to first courtyard for upto four cars) This informal arrangement has worked well for 18 years now and has proved adequate for both residents and visitors/tradespeople etc of Station Approach.

The proposed scheme includes double yellow lines on both the west and northerly sides of Station Approach for 90 meters northerly and then easterly and also on the east and southerly sides of the street for 50 meters northerly and easterly.

This will remove residents and their visitors flexibility to park on Station Approach and the loss of valuable additional spaces which will have a knock on already limited parking on the whole of Station Approach and possibly create tensions between residents which is something that should be avoided.

On a personal basis, we are one of two houses (our property No 3 and our neighbours at No 1) whose garden access is directly on to the proposed area of the traffic management double yellow lines proposed scheme. Our house No X is split levels with an entrance on the lower ground level into our garden off Station Approach, and another entrance at Upper ground level from the first courtyard. The house is built into the former railway embankment wall with 3 storeys facing Delph New Road, and 2 storeys from courtyard level. Living, kitchen and dining areas all situated at the lower ground level. This means that on-street parking is often used directly accessing our garden gate on to Station Approach, both for deliveries, shopping, home visits etc and access for my partner (wife) who has mobility issues and has great difficulty in climbing many stairs and walking some distances. My wife's disability has developed over a number of years and was not an issue when we purchased the house in 2004. A number of internal adaptations and room re-purposing has been done to accommodate her needs to be able to stay in our home as not in a position to be able to move at this time.

Therefore it is vital we are still able to park outside our gate on Station Approach for ease of access without stairs.

We would be grateful therefore for a revision to the scheme to allow for a space/gap/disabled space left outside our gate for use by my wife for access and also be utilised by any visitors/home visits/health professionals who assist with leg pain management, shopping and help with any jobs around the home.

We would recommend that the length of the proposed yellow-lines are reviewed and shortend to allow for the current "residents and residents visitors" only on-street parking as detail above.

The street was not adopted for a number of years and was under the jurisdictions of the Delph Station Management company, there are a number of 'residents only' parking signs remaining from this period and have helped reduce the number of people using Station Approach for overflow parking.

We hope that you take these comments and concerns into account and relax some of the scheme proposals accordingly.

Objection 4

I am concerned that not all residents have been contacted regarding the proposals and that the detail on the images in the report are incredibly unclear and blurred.

I appreciate the rational for bringing the parking restrictions up Station Approach and the potential for parking being displaced and becoming the proem of us residents. Parking restrictions of the proposed kind, will create a minefield of issues and potential disputes for residents of Station Approach on a daily basis. We shouldn't lose our residential parking because of an issue created by the businesses across the road. What alternatives are there to the proposals for Station Approach?

I can see that displaced parking could be an issue and the parking on Delph New Road has undoubtedly been getting worse. I've noticed that there are certain days when it is worse and are likely to be caused due to the schedule of a particular business and when more staff are in the office. It's a difficult situation and I appreciate you addressing it. Are there any other available options such as resident parking restrictions? I don't know they work or if there are other options.

Despite appreciating the rationale. I'm conscious that parking restrictions on entry to Station Approach would cause a significant problem to a resident at number 3 with mobility issues. It is likely that parking restrictions on Station Approach would result in issues between neighbours and I obviously wouldn't want this.

I think the parking issues needs to be addressed directly with the businesses causing the increased parking on the main road.

Oldham Road

Objection

Primarily the concern is that the cars parked along Delph New Road, slows the traffic using the junction. Speeding on this busy intersection is prolific and fear this will be exacerbated if all the parking is removed. I do believe that double yellow lines around the junctions to Gatehead Business Park and Station Approach are necessary – others are proposed in places where no-one has ever / would ever park.

I also do not see why there is any issue with parking along the east side of Delph New Road up to just before the turning into Gatehead Business Park, the road along here is wide enough for two vehicles to pass even if there are cars parked. These on street parking areas are used daily for people working in the business park or visiting the restaurant and other amenities. Where would these people be expected to park? It might limit the success of these businesses and others nearby which depend of parking spaces which would then be filled with these users.

The existing parking on the north side of Station Approach seems necessary – many people park here who wish to access the Delph Donkey footpath, along with visitors and residents at Station Approach. This parking could be residents only but to remove it completely seems counterproductive and unnecessary.

Removing the short section of parking in front of 2 Oldham Road, Delph also seems unnecessary – it is used infrequently other than by the Postal Service when collecting from the post box / on deliveries locally. As residents at Oldham Road, we occasionally park in front of the property when loading / unloading the car for short infrequent periods.

Delph New Road (Business Park)

Objection 1

We object to the proposed imposition of parking restrictions on Delph New Road/ The Sound/ Station Approach/ Oldham Road.

We are long standing tenants in Gatehead Business Park.

We employ 5 members of staff.

Our business is client facing- this means it is crucial to the successful operation of our business that we are able to meet our clients. This occurs on a daily basis. Our clients are typically older (60+ age bracket) who come to visit us in our offices.

The imposition of the parking restrictions would make this impractical at best and virtually impossible at worst.

We would have to relocate- this would involve a considerable financial outlay on our part. We may well have to re locate out of the borough as there is little, if any, alternative suitable office accommodation for our purposes. This may well have knock on consequences for our ability to employ staff and adverse consequences for the staff we currently employ.

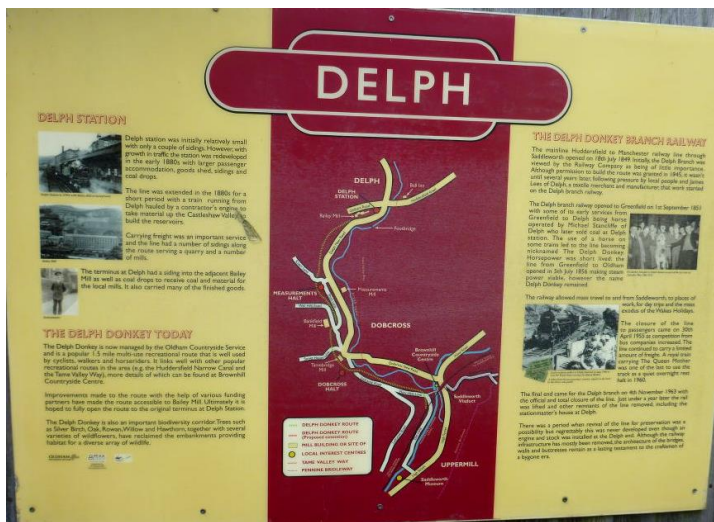
I trust you will re consider your decision to impose these parking restrictions and withdraw the same as the adverse consequences of your action will undoubtedly outweigh the benefits.

Objection 2

As a Business Owner located on Gatehead Business Park we have been notified of the proposed double yellow lines on Delph New Road. We are disappointed that no consultation has taken place with businesses which will be severely affected.

We have been a tenant here for 5 years and I travel to work daily and have never seen any issues with the parking on Delph New Rd. These restrictions will have a massive impact on the businesses located on the business park.

There are many walkers and cyclists who access the Delph Donkey at "Station Approach".



Within the car park of Gatehead Business Park there is a footpath and bridge over the river, again with many cyclists and walkers using the road parking in this area to access the countryside.

There are many adverts for cyclists and walkers to use the area and many will park on Delph New Rd or even within Gateshead Business Park.

<http://www.visitoldham.com/activities/the-saddleworth-rail-trail-p224621>

<https://saddleworthparishcouncil.org.uk/wp-content/uploads/2016/10/CYCLING-IN-SADDLEWORTH.pdf>

Further down Delph New Rd there are cars parked outside houses which cause no issues.



Delph New Rd is certainly not as busy as A62 Huddersfield Rd. Traffic calming measures of reducing to 20mph is certainly enough on Delph New Rd and visibility at this speed is absolutely sufficient (It was when it was 30mph)

Its confusing therefore why vehicles parking on Delph New Rd are deemed more dangerous and an obstruction when cars parked on the A62 is aloud (and rightly so as no issues). This road is much busier and on occasions has large HGVs diverted from the M62 going passed with no issues.



OMBC targeting an industrial area like this is completely ridiculous and unwarranted. Not only is this unneeded and has no benefit to the area it will cause unnecessary disruption to businesses, cyclists and walkers.

The pavements are not obstructed and im not aware of any accidents.

We are strongly against these proposals and suggests that these proposals are withdrawn and as a minimum consultation with the business park.

Objection 3

I received your letter regarding the planned introduction of double yellow lines on Delph New Road on the 25th January 2023. I am confused about this however, as the date on the letter is the 26th of January 2023, and the date on the notice is 27th January 2023. I was under the impression that you cannot have either letters or notices dated post-delivery. Does this not invalidate the notice meaning it should be withdrawn?

I note that you have received reports about vehicles parking on the bend of Delph New Road and at the entrance to Station Approach. Having worked at Gatehead Business Park for the past 5 years, I have seen cars parked on the Gatehead Business Park side of the road, however, I am struggling to think of times that I have seen cars parked on the opposite side of the road, other than the residents of Station House.

I do not accept your reasoning of it being difficult for buses and other large vehicles to pass whilst people are parked on the road. I have not seen any issues. I can see the logic in making the corner of Delph New Road for 15m and the Entrance of Gatehead Business Park double yellow lines for visibility, I cannot understand the proposed introduction of double yellow lines from Gatehead Business Park to Gatehead Mill, as this stretch of road is straight and provides good visibility. I believe the current un-altered double yellow line plan will have a profound impact on local businesses and the local economy.

I further note that officers of the council have been to investigate the proposed area and produced the plan for the double yellow line areas. This plan was drawn up without local business input in any format before the notice was issued. I believe that this is a large mistake on the part of the officers, who have not done their due diligence in properly assessing the area in question. Further discussion and involvement of the local businesses are required.

Lastly, in the consultations part of the report, there are two Local Ward Councilors that have been consulted namely Councilor Lancaster and Councilor Byrne. However, after consulting the Landlords of Gatehead Business Park phase 1, who have approached both councilors and have been informed that neither one have supported the proposal. This

does then raise the question of the validity of this notice and whether it should be withdrawn.

Whilst I am not against the introduction of Double Yellow lines on the corner of Delph New Road to the entrance of Gatehead Business Park, I cannot understand why there is so much extra area included in this plan. Before this plan is formalized, I would like to see more engagement with local businesses. They are going to be adversely affected by this proposal so it needs to be withdrawn, or be changed enough so that all parties including local businesses can be satisfied.

Objection 4

I am writing to you with grave concerns about your double yellow lining the above roads. Whilst I total understand and agree with why this is being done, this will impact hugely on my business.

Future Safety is located right at the bottom of the right-hand side part of the estate and we have issues with cars just being parked in our car park slots or on the approach to the units. These cars are left will they visit business at the far end of the estate.

If the roads are double yellowed this could virtually block in my business as you have not listed any further parking facilities.

So for the safe working continuity of my business and staff, I have to object to this proposal , unless alternative parking options are made available .

Objection 5

We note your letter of 26th January regarding the proposed parking restrictions above and would like to register our objection.

Geosyntec Consultants Ltd rent offices on the Gatehead Business Park, Delph New Road, and have done so for the last 12 years and never in this period have we received or heard of, any complaints from residents regarding parking on Delph New Road.

If such complaints have been lodged directly with the council, then surely, they ought to have been some due consideration shown to tenants of the business parks, who after all, support the local community, and we should have been offered a chance to air views at a local consultation.

We appreciate that parking on the Delph New Road bend, where it meets Huddersfield Road, may not be ideal, although this not a regular occurrence, or one that causes problems, especially in the last 12 years that we have tenants here. The road is wide enough for this not to cause an obstruction or a problem for vehicles coming from either direction and the traffic flows well.

Double yellow lines from the entrance to Gatehead Business Park, going in the direction towards Uppermill makes no sense whatsoever; this is a straight road, is not overlooked by houses and causes no obstruction or disturbance to anyone. There would be no advantage to introducing parking restrictions here.

Local businesses have suffered during the pandemic and are just getting back on their feet now that people are returning to office life, such parking restrictions, without offering nearby alternatives, will make people re-consider working from home again on a permanent basis and then companies would have to justify costs for having offices in the area. Not everyone who work in the Delph and surrounding areas lives locally. This would have an impact on local businesses, as on a daily basis, our office staff use the shops and facilities in Delph and Uppermill.

We trust you will consider the points made above.

Objection 6

Thank you for your letter dated 26th January 2023 yet received on 25th January 2023 which we find ill thought out and unhelpful to businesses which are already struggling in Oldham and Saddleworth due to poor infrastructure and high rates and post the Covid pandemic.

Delph New Road has had industries upon it for many, many years woollen mills and a dye factory and had the railway until the turn of the century. Now industries are reliant on roadways to transport their goods and their workers to their businesses. As a result workers do have to park on the road as the employers can only provide a limited amount of parking due to the history of the area.

Should you go ahead with your proposals to stop parking on Delph New Road it will only move the problem further up the road and also cause issues with residents who live in the terraced houses having people parking outside their houses? It will reduce the availability of labour to the various businesses around the Delph New Road area and inadvertently reduce the revenue to the Council as business will move out of the area and businesses will close down. The transport system is not regular enough for people to use public transport.

The answer would be for the council to build a car park at the side of the road where the old railway was situated or have a limited time to park on the roadway such as a 90 minute waiting time and to reduce the speed on the road to 20miles per hour. Traffic calming measure such as rumble strips are needed on the road to reduce the speed some drivers speed around the area.

The answer is not to put double yellow lines on the road unless the council wants more empty businesses and higher unemployment. The answer is road calming, to provide a further carpark for employees and limit the time which a car can be parked on the roadway. This can be policed by a traffic warden who would provide revenue to the Council and if necessary the car park could be metered.

Objection 7

I was the original architect for two buildings off Delph New Road, and was agent for the planning application. Although I am now more or less retired, I still on occasion visit them, as I maintain a desk and drawing board in one of the offices

I have seen a letter from OMBC giving notice of intention to restrict parking on a length of Delph New Road and Station Approach

There appears to have been no consultation with businesses in the vicinity, and furthermore I understand that councillor's views have been misrepresented

This seems to me to be unnecessarily high-handed on the part of the LA, and the measures proposed excessive

Furthermore, I recall being told during discussions with planning and highways officers when the original drawings were being prepared that the LPA wanted to see a minimum of offroad parking spaces provided (guided by central government advice to encourage the use of public transport for sustainability reasons), so it may be argued that parking on Delph New Road would not be unexpected. I believe it is not excessive, and has not significantly increased since the outset, and is certainly no more than pre-Covid

I suggest that before making any formal Order, a meeting be arranged between officers, interested councillors and local business owners

If any further input from me about the original design concept would be thought useful, please let me know

Objection 8

We would like to object to the proposed parking restrictions planned as detailed above. We have recently opened a private baby scanning clinic at Gatehead business park, Delph. Our customers travel from all over Greater Manchester and Surrounding areas. At our clinic, we have individual appointment times and see a number of clients who arrive at various times throughout the day. The use of public transport simply isn't an option for most of them as they will simply choose other clinics where parking is available. Whilst the business park has its own carpark spaces are not reserved therefore, they fill quickly at the start of the working day. We see ladies at various stages of pregnancy 6 weeks to 33 weeks and we can't really expect them to park and walk a long distance if a space is not available. We do not overlap our appointments so typically there will be a maximum of 1 or 2 cars but they do need to park close to the clinic (my wife generally walks to work). We believe the implementation of parking restrictions would have a negative effect on our growing business, we gain most our customers from recommendation and not being able to park locally could lead to negative reviews.

Objection 9

It has come to my attention that the Council are proposing to install double-yellow-lines at the aforementioned locations. I have reviewed both the Council's letter dated 26th January, and the purported vindication from Linda Mills.

Make no mistake that I think this proposal is a brazen attack on the tenants, businesses, and patrons of the Gatehead Business Park (GBP) offices and industrial units; and find it unconscionable and wholly repugnant that there has been no consultation with the Landlord(s), tenants and staff that comprise the businesses at GBP – many of whom live and work in the area. Please allow me to draw upon the Council's proposal.

The Council's reasoning that access and egress to Station Approach is somehow hindered, I find perplexing. I have never seen a vehicle park on the Station Approach side of the road and so struggle to see how this prevents access. Whilst I sit writing this letter, I can think of a handful of locations around Saddleworth where there are on-road parking similarities; namely – further down Delph New Rd, adjacent Gatehead Mill – where residents park directly adjacent. I note that the proposal stops short of implementing double-yellow lines here.

This will have a profound effect on the local economy, as it will draw existing tenants away from Delph – at a significant cost to themselves - and it could very well dissuade new tenants from occupying; consequently, Fresca and other local eateries may decline, which will mean they cut-back on staff, therefore weakening the local pound, and adding to existing environmental woes as people travel further for work. I find it hard to believe that those who put this proposal together, did not consider the aforesaid. Nevertheless, surely a consultation with the local businesses would have highlighted these patent reservations, and allowed the Council to submit a more informed proposal.

In Linda Mills' email, it states that both Councillors Lancaster and Byrne support this proposal, and that everything else within reason has been tried. What else, exactly, has been tried? I am not aware of any correspondence prior to this proposal? Moreover, I understand that Councillor Byrne does not, in fact, support the proposal; so there appears to be an obvious contradiction here.

I understand that the grievance has come from Station Approach; but to the best of my knowledge, this development was built after GBP. Furthermore, the imposition of yellow-lines only serves to move the problem elsewhere, rather than 'solve' it. The likely destinations being the already vehicle-laden Oldham Rd / Old Bell crossroads; or possibly the even more ill-suited Gatehead Rd.

This proposal needs to be withdrawn; and any proposal of a similar nature desperately requires thorough planning and consultation, instead of an abjectly ill-thought out plan and complete disregard for local businesses. I will make a point of speaking to Harry Catherall, Frank Rothwell and the others at the Business Breakfast on 2nd March.

Objection 10

The Operational Guidance to local authorities on the Traffic Management Act 2004, states that, in appraising its local parking policy, an authority should take account of the: existing and projected levels of parking demand availability and pricing of on- and off-street parking justification for and accuracy of existing Traffic Regulation Orders accuracy and quality of traffic signs and road markings that restrict or permit parking. Please also refer to the comments issued by Eric Pickles, Local Government Secretary, 30th August 2014

I note your letter of 26th January regarding the proposed parking restrictions above. I list below my objections to the proposed restrictions.

1. I believe that you are procedurally incorrect and that the notice should be withdrawn or re-issued. Your letter is dated 26th January 2023 and encloses the notice. The notice encloses the order, dated 27th January 2023. How can a letter dated the 26th enclosed a notice from the 27th which has not yet been issued. Strangely, your letter was also received on the 25th January, so why was it dated 26th? I believe that this notice is invalid and should be withdrawn.
2. Referring to the operational guidance above, please can you demonstrate the consideration undertaken in issuing your notice. Should there be no consideration, or local consultation, I believe the notice should be withdrawn and questions asked about its legality.
3. Working in the area, I have seen no evidence of traffic flow problems with the current situation. Indeed there have been no accidents, to my knowledge, in the recent past.
4. There is occasional parking on the roads listed. Installation of double yellow lines will move parking elsewhere. This is likely to be Huddersfield Road, which is busy and will ensure a traffic problem, Gatehead Rd and Gatehead Croft. The latter are narrow roads which will cause traffic problems with local residents. This proposed policy will increase accidents on Huddersfield and Oldham road (A62)
5. Station Approach. I am baffled that this is proposed to have the yellow lines.
6. Since the pandemic, people are wary of travelling on public transport. Restricting on road parking will hinder the ability of local businesses to attract employees.
7. Notwithstanding the above there are insufficient regular buses to attract employees should available parking be removed.
8. There will be damage to the local shops and businesses as people will travel to Manchester. A thriving business and local community will be affected. Existing tenants have told us that should this go ahead – they will have to relocate; additionally, one has stated that they will have to close at lunch times – which means laying off staff; 'Prospective tenants have expressed their concern regarding these proposals, and consequently have halted lease negotiations until the outcome has been determined.
9. Double yellow lines of this magnitude will affect local businesses. What consultation has been carried out?
10. Please see below the council reasoning with my comments against.

Good afternoon.

Following our conversation earlier I have copied below the Councils reasons for proposing this Order. I note you have a copy of the notice and plan.

Proposed Prohibition of Waiting and Bus Stop Clearway – Delph New Road, Delph

1 Background

1.1 Delph New Road forms part of the A6052 principal route connecting Dobcross with Delph. At its northern end, just south of the village, it connects with the A62 and forms a staggered cross-roads with The Sound. On the approach to the cross-roads there is a bend in the road with no existing restrictions in place to control parking. The bend is a large sweeping bend with little restriction to view.

1.2 The Highways Department of the Council recently received reports of vehicles parking on the bend on Delph New Road and also at the entrance to Station Approach, a residential cul-de-sac located nearby. It is reported that the parking activity is associated with Gatehead Business Park. I have worked at Gatehead Business Park for almost 18 years. In that time, whilst I have seen cars parked on the Gatehead Business Park side of the road, there have been less than 5 occasions that I have seen cars parked on the Station Approach side. I am not aware of cars parking on Station Approach from the Business Park in the last 10 years. I recall that anyone parking there from the Business Park previously was abused by some tenants on Station Approach.

1.3 Gatehead Business Park is located to the west of the bend and although there are dedicated parking facilities within the site, parking often spills out onto the highway onto Delph New Road and Station Approach. Concerns have been raised that motorists are forced into the opposing carriageway when travelling along Delph New Road due to the vehicles parked on the bend and also that visibility is affected for motorists emerging from Station Approach when vehicles park near to the junction. Vehicles parked on Station Approach itself also hinder access and egress. See above comments on Station Approach. In the one situation of me seeing a car parked on the same side of Station Approach, it was towards Dobcross and would not have obstructed views. I do not see cars parked on Station Approach and on no occasions have there been restricted views by cars parked. This is a fallacy caused by, I suspect, a small number of residents claiming so, when it is not true. In addition, the carriageway is fairly wide at this point and there is little cross over to the opposing carriageway. Every village centre, including Dobcross, Delph, Greenfield, Uppermill and others have multitudes of vehicles crossing over onto the opposite side of the road. These do not warrant yellow lines.

1.4 Officers have inspected the location and support new restrictions to address the issues reported. However, to prevent vehicles being displaced into other problematic areas, the proposal has been extended out to include a wider area to include a second bend further west along Delph New Road, a bus stop lay-by on Oldham Road and the north side of the staggered cross-roads. Officers have not consulted the businesses and have not taken their views. There is not a problem but the proposed measures will cause more parking on Oldham Road and parts of the Sound. This will create further and worse problems. Should a problem be acknowledged then there should be yellow lines added on both sides of the road from Station Approach and the Business Park. A 15 m length would allow more than adequate sight lines. There is also no problem near the bus stop lay-by.

1.5 It is proposed to promote new prohibition of waiting restrictions on Delph New Road, Oldham Road, Huddersfield Road, The Sound and Station Approach as detailed on plan 47/A3/1668/1.

2 Options/Alternatives

2.1 Option 1: To approve the recommendation. The Gatehead Business Park tenants object to this and have not been consulted in drawing up the plans. See the Eric Pickles recommendations at the start of my letter.

2.2 Option 2: Not to approve the recommendation. Further consultation is required. See my comments above in location of yellow lines.

3 Preferred Option

3.1 The preferred option is Option 1. Consultation is needed based upon inadequate and inaccurate information within this report. This has been caused by one or two complaints.

4 Justification

4.1 If approved, the proposal will:

- increase visibility along Delph New Road for motorists exiting Station Approach and Gatehead Business Park. See solution suggested above.
- improve access and egress at Station Approach See suggestion above.
- reduce the conflict between opposing traffic along Delph New Road on the bend. There is little conflict that could be further improved as suggested above. Are you proposing to put double yellow lines throughout all the Saddleworth villages, that would similarly damage local businesses?
- enable buses to access the bus stop lay-by unhindered. This is not a problem whatsoever and there is no evidence of this.
- prevent obstructive parking at the cross-roads. There is no obstructive parking at the crossroads.

5 Consultations

5.1 G.M.P. View - The Chief Constable has been consulted and has no objection to this proposal. No support either. I note that Businesses have not been consulted.

5.2 T.f.G.M. View - The Director General has been consulted and has no comment on this proposal. No support either. I note that Businesses have not been consulted.

5.3 G.M. Fire Service View - The County Fire Officer has been consulted and has no comment on this proposal. No support either. I note that Businesses have not been consulted.

5.4 N.W. Ambulance Service View - The County Ambulance Officer has been consulted and has no comment on this proposal. No support either. I note that Businesses have not been consulted.

6 Comments of Saddleworth North Ward Councillors

6.1 The Ward Councillors have been consulted and Councillors Lancaster and Byrne support the proposal. Councillor Byrne also stated that it is regrettable that we need to do this but we have tried everything else within reason. A colleague has spoken to Councillor Byrne. Councillor Byrne has stated that she and Councillor Lancaster have NOT supported the proposal.

A viable and environmentally sustainable community has to have a balance of housing, recreational facilities, industrial and economic places of work. This proposal has not considered the impact of this balance and will cause people to move further from their current places of work. Thus causing economic loss to Oldham and further environmental impact.

I trust that you will re-consider this proposal but would welcome discussion to find a more workable solution.

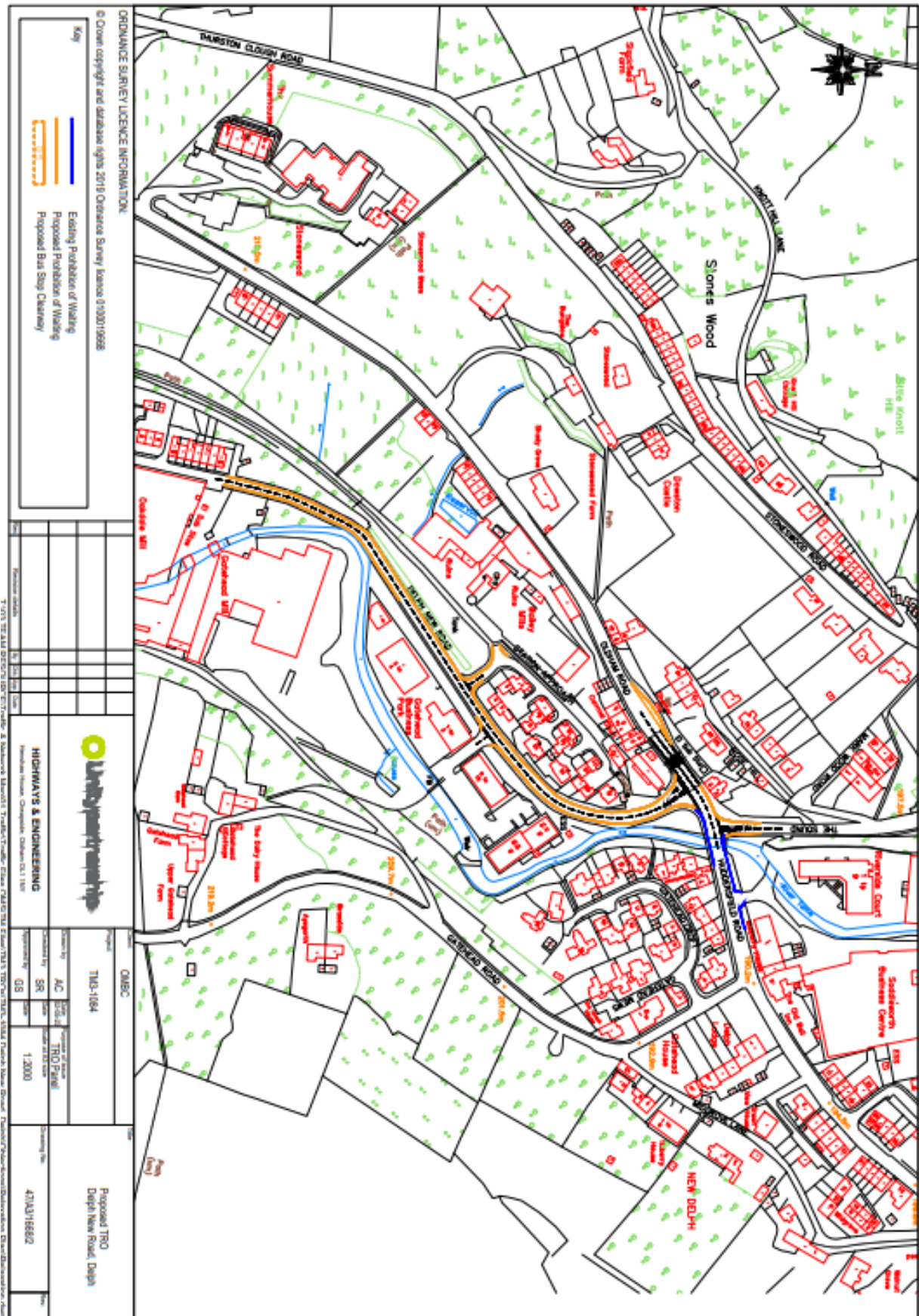
I refer to my letter of 14th February regarding the above. I have some further points to make as follows -

I understand that complaints have been made by a few residents on Station Approach regarding parking on Delph New Road. I would point out that the Gatehead Business Parks, Phases 1 and 2, were built before permission was given for houses on Station Approach, and that this was formerly industrial land. This is yet another example of residents coming into an area and objecting to what is already there. I would also reiterate that I have seldom seen any parking from the Business Park on Station Approach or Delph New Road on that side of the highway.

When planning permission was given for Gatehead Business Park, a site designated for employment, the council policy was a "minimum" for parking spaces. The policy at the time was that people should use public transport, or other environmentally friendly means, to arrive at their place of work.

You are aware that there are insufficient bus services to Oldham rural locations. Additionally, since the covid pandemic, there is a reluctance to use public transport. I trust that you will consider these further relevant points.

APPENDIX C
PROPOSED RELAXATION PLAN



APPENDIX D

PHOTOS TAKEN ON 3RD AUGUST 2023

1 Delph New Road - Footway looking south-west



2 Delph New Road - Footway looking north-east



3 Delph New Road - Carriageway looking north-east



4 Delph New Road - Carriageway looking south-east



5 Oldham Road / The Sound – Footway looking west





TRO Panel

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 28 September 2023

Subject: Objections to Proposed Prohibition of Waiting – Magnolia Gardens and Primrose Bank, Oldham

Report Author: Andy Cowell, Traffic Engineer

Ward (s): Werneth

Reason for the decision:

A report recommending the introduction of Prohibition of Waiting restrictions at Magnolia Gardens and Primrose Bank, Oldham, 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.

A copy of the approved report is attached in Appendix A and a copy of the representations are attached in Appendix B.

If the Panel was to consider relaxing the scheme, then it is 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.

Summary of Objections and Officers response (*in italic*)

The objectors at Primrose Bank believe that the proposed restrictions are unnecessary and will have a negative impact on the residents and local businesses. It is felt that the restrictions will remove most of the on-street parking spaces which customers, employees and residents rely on.

The properties on Primrose Bank do have the benefit of some off-street parking. As Highway Authority, the Council's primary responsibility is to ensure that its highways are safe for all road users. The Council is not responsible for providing convenient parking and can only maintain on-street parking where it is safe to do so.

The objectors also believe that the restrictions are not justified as there are no safety issues with parking on Primrose Bank and there have been no accidents of any significance to warrant this.

There are two reported collisions along Primrose Bank within the last three years. The proposal will provide a number of clear safety benefits as detailed below.

- *prevent parking on Primrose Bank opposite and adjacent to the junction of Magnolia Gardens, thus increasing visibility for motorists entering Primrose Bank*
- *prevent parking on and close to the mini-roundabout on Primrose Bank, allowing motorists to negotiate it correctly and safely*
- *prevent parking on both sides of Primrose Bank resulting in better forward visibility and two-way flow of traffic*
- *prevent parking close to the junction of Ashton Road allowing motorists to turn into Primrose Bank safely.*

It is also felt that the restrictions will simply displace the parking into other areas.

Primrose Bank is the main access road to a number of residential streets and has been the subject of complaints about parking. Any displacement would take place onto minor streets.

Business owners are also concerned for the safety of vulnerable customers and employees having to walk further, especially during the dark winter months.

As Highway Authority, the Council's primary responsibility is to ensure that its highways are safe for all road users. The Council is not responsible for providing convenient parking for all employees. In the interest of its businesses and residents, it will always try to maintain on-street parking but only where it is safe to do so.

Objectors also state that there was a lack of proper community engagement and consultation.

In terms of consultations, as with all TROs, the Council followed The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 in advertising this proposal, which involved publishing a notice of intent in the local newspaper and posting copies on site. There is a list of statutory consultees such as GMP and TfGM. The Council do not generally consult with persons whom it believes may be affected by a proposal as there may be supporters of the scheme who would not be afforded the same opportunity to make representations. Supporters of a scheme may be regular users of the highway and not necessarily local residents or businesses. The TRO advertising process is a form of consultation in itself, where any member of the public can make representations, not just those consulted directly.

The objectors at Magnolia Gardens believe that the proposed parking restrictions will severely limit the availability of parking spaces in their neighbourhood.

The majority of residents at Magnolia Gardens have access to off-street parking, which is reportedly under-used. The proposed restrictions provide a number of safety and access benefits.

The proposal will prevent parking around the perimeter and entrance / exit point to the play area on Magnolia Gardens, and therefore, increasing inter-visibility between motorists and child-pedestrians and vice versa. It will also ease access along Magnolia Gardens for larger vehicles and provide a safer environment for pedestrians.

Summary of Supporting Letters

The supporters at Magnolia Gardens state that the restrictions should be introduced as soon as possible especially those proposed around the Primrose Bank area near the FitBodz Gym and around the perimeter of the play area on Magnolia Gardens. The supporters believe that parked vehicles create a blind spot for those turning onto Primrose Bank from Magnolia Gardens. The supporters state that the play area is used by a lot of children and cars parking in front are causing blind spots for children crossing the road especially when there is an event held at the Primrose Bank Centre. Residents also have parking available to them behind their houses in a safe car park designed for them but choose not to use it.

Summary:

The purpose of this report is to consider all representations received to the introduction of Prohibition of Waiting restrictions at Magnolia Gardens and Primrose Bank, Oldham.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

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

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and Councillor N Ibrahim - I agree with the proposal, this has been a long time coming. We have regular complaint in regards to the ongoing issues with the parking along Primrose Bank. With staff / businesses not using offsite parking and to continue creating issues for residents daily, personally I feel introducing this Proposed Prohibition of Waiting is the only way to help resolve this.

Councillor S Akhtar, The local residents have been complaining about parking along Primrose Bank for a long time. The process commenced prior to Covid and I welcome these proposals.

Recommendation(s):

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

Implications:

*What are the **financial** implications?*

These were dealt with in the previous report (refer to Appendix A)

*What are the **legal** implications?*

These were dealt with in the previous report (refer to Appendix A)

What are the **procurement** implications?

None

*What are the **Human Resources** implications?*

None

Equality and Diversity Impact Assessment attached or not required because (please give reason)

Not required because the measures proposed are aimed at improving road safety

*What are the **property** implications*

None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)

Risks:

None

Co-operative agenda

These were dealt with in the previous report (refer to Appendix A)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

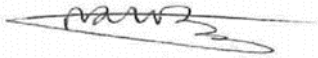
There are no background papers for this report

Report Author Sign-off:	
Andy Cowell	
Date: 16 August 2023	

Please list and attach any appendices:-

Appendix number or letter	Description
A	Approved Mod Gov Report
B	Copy of Representations

In consultation with Director of Environment



Signed :

Date: 15.09.2023

APPENDIX A
APPROVED MOD GOV REPORT

Delegated Officer Report
(Non Key and Contracts up to a value of £100k)

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 3 March 2023

Subject: Proposed Prohibition of Waiting – Magnolia Gardens and Primrose Bank, Oldham

Report Author: Andy Cowell / Darryll Elwood

Ward (s): Werneth

Reason for the decision:

Over the last five years this location has undergone extensive demolition and regeneration work resulting in a new housing and associated road layout incorporating a large number of new properties. The new properties have all been provided with off street parking either at the front of the properties via a driveway or to the rear as part of a private parking court area. In 2017, when the development was partially finished a request was received from the Housing PFI Team to introduce double yellow lines in front of the properties recently built and occupied. This was due to the residents persistently refusing to utilise the off-street parking provisions provided.

The development is now finished and a second request has been received from the PFI Team to extend the double yellow lines on Magnolia Gardens to remove obstructive parking.

Magnolia Gardens was constructed in a loop with entrance/exits leading onto Chamber Road, as part of the development a play area has been constructed in the centre of the loop, providing a safe play area for children. Unfortunately, due to motorists parking on both side of Magnolia Gardens visibility is severely obstructed for pedestrians entering and exiting the park,

especially younger children, creating a highway safety issue. In addition, observations revealed due to the problematic parking pedestrians can be put in direct conflict with vehicles and causes obstruction/visibility issues at junctions and along the road in general. The obstructively parked vehicles can also impact refuse collections as on occasion the refuse vehicle is unable to gain access.

One of the main access points to Magnolia Gardens is from Primrose Bank. In a separate request, residents have raised concerns about parking outside the First Choices Homes Depot for several years since it opened. The depot is positioned on the north side of Primrose Bank opposite one of the access points to Magnolia Gardens. Ward Councillors have asked the Council to install double yellow lines as there have been several near misses involving pedestrians and vehicles. Officers have visited the site and also witnessed obstructive parking further east near the mini-roundabout and towards Ashton Road.

In view of the above it is felt that 'no waiting at any time' restrictions should be introduced on Magnolia Gardens to remove the obstructive parking taking place and to encourage the use of the off-street parking provided for residents and their visitors and create a safe environment for all highway users. No waiting at any time restrictions should also be introduced on Primrose Bank to address the reported issues outside the depot and prevent obstructive parking between Magnolia Gardens and Ashton Road.

It is proposed to promote new prohibition of waiting restrictions on Magnolia Gardens and Primrose Bank as detailed on plan 47/A4/1657/1.

Summary:

The purpose of this report is to consider the introduction of prohibition of waiting restrictions along Magnolia Gardens and Primrose Bank, Oldham.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Option 1: To approve the recommendation
Option 2: Not to approve the recommendation

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and Councillor J Iqbal supports the proposal.

Councillor F Hussain has stated I am happy with the actual Primrose Bank restrictions which should have been done a long time ago

G.M.P. View – The Chief Constable has been consulted and supports this proposal on the grounds of pedestrian safety and large/emergency vehicle access

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

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

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

Recommendation(s):

It is recommended that a new Traffic Regulation Order be introduced in accordance with the plan and schedule at the end of this report.

Implications:

What are the **financial** implications?

The cost of introducing the Order is shown below:

	£
Advertisement of Order	1,200
Introduction of Road Markings	1,000
TOTAL	2,200
Annual Maintenance Cost	100

The advertising and road marking expenditure of £2.2k will be funded from the Housing PFI budget.

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.
(John Edisbury)

What are the **legal** implications?

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.

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)

What are the **procurement** implications?

None

What are the **Human Resources** implications?

None

Equality and Diversity Impact Assessment attached or not required because (please give reason)

Not required because the measures proposed are aimed at improving highway safety.

What are the **property** implications

None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)

Risks:

None

Co-operative agenda

Implementing new waiting restrictions on Magnolia Gardens and Primrose Bank, will reduce obstructive parking on Magnolia Garden, and increase visibility of the road for pedestrians, keeping residents safe (Mahmuda Khanom, Policy Support Officer)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

Schedule

Drawing Number 47/A3/1657/1

Delete from the Oldham Borough Council (Oldham area) Consolidation Order 2003

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Magnolia Gardens</u> (Both sides) From its eastern junction with Chamber Road for a distance of 33 metres in a north westerly direction	At any time	A, B1, B3, B4, C, E, K3	
	<u>Magnolia Gardens</u> (Both sides) From its western junction with Chamber Road for a distance of 67 metres in a north westerly direction	At any time	A, B1, B3, B4, C, E, K3	

Add to the Oldham Borough Council (Oldham area) Consolidation Order 2003

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<p><u>Magnolia Gardens</u> (West side)</p> <p>From its eastern junction with Chamber Road for a distance of 70 metres in a general north westerly direction</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Magnolia Gardens</u> (East side)</p> <p>From its eastern junction with Chamber Road for a distance of 60 metres in a general north westerly direction</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Magnolia Gardens</u> (West side)</p> <p>From its western junction with Chamber Road for a distance of 67 metres in a general north westerly direction</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Magnolia Gardens</u> (East and south sides)</p> <p>From its western junction with Chamber Road for a distance of 140 metres in a general north westerly, then north easterly and then south easterly direction covering the perimeter of the play area</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Magnolia Gardens</u> (West side)</p> <p>From its junction with Primrose Bank for a distance of 53 metres in a general southerly direction</p>	At any time	A, B1, B3, B4, C, E, K3	

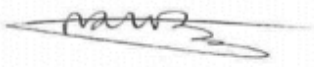
	<p><u>Magnolia Gardens</u> (East side)</p> <p>From its junction with Primrose Bank for a distance of 67 metres in a south westerly and then south easterly direction</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Primrose Bank</u> (South side)</p> <p>From its junction with Ashton Road to a point 19 metres west of its junction with Magnolia Gardens</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Primrose Bank</u> (North side)</p> <p>From its junction with Crossbank Street for a distance of 16 metres in a westerly direction</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Primrose Bank</u> (North side)</p> <p>From a point 27 metres west of its junction with Crossbank Street to its junction with Hoyle Avenue</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Primrose Bank</u> (West side)</p> <p>From its junction with Hoyle Avenue for a distance of 10 metres in a southerly direction</p>	At any time	A, B1, B3, B4, C, E, K3	
	<p><u>Hoyle Avenue</u> (North side)</p> <p>From its junction with Primrose Bank for a distance of 15 metres in a general westerly direction</p>	At any time	A, B1, B3, B4, C, E, K3	

	<u>Hoyle Avenue</u> (South side) From its junction with Primrose Bank for a distance of 12 metres in a general westerly direction	At any time	A, B1, B3, B4, C, E, K3	
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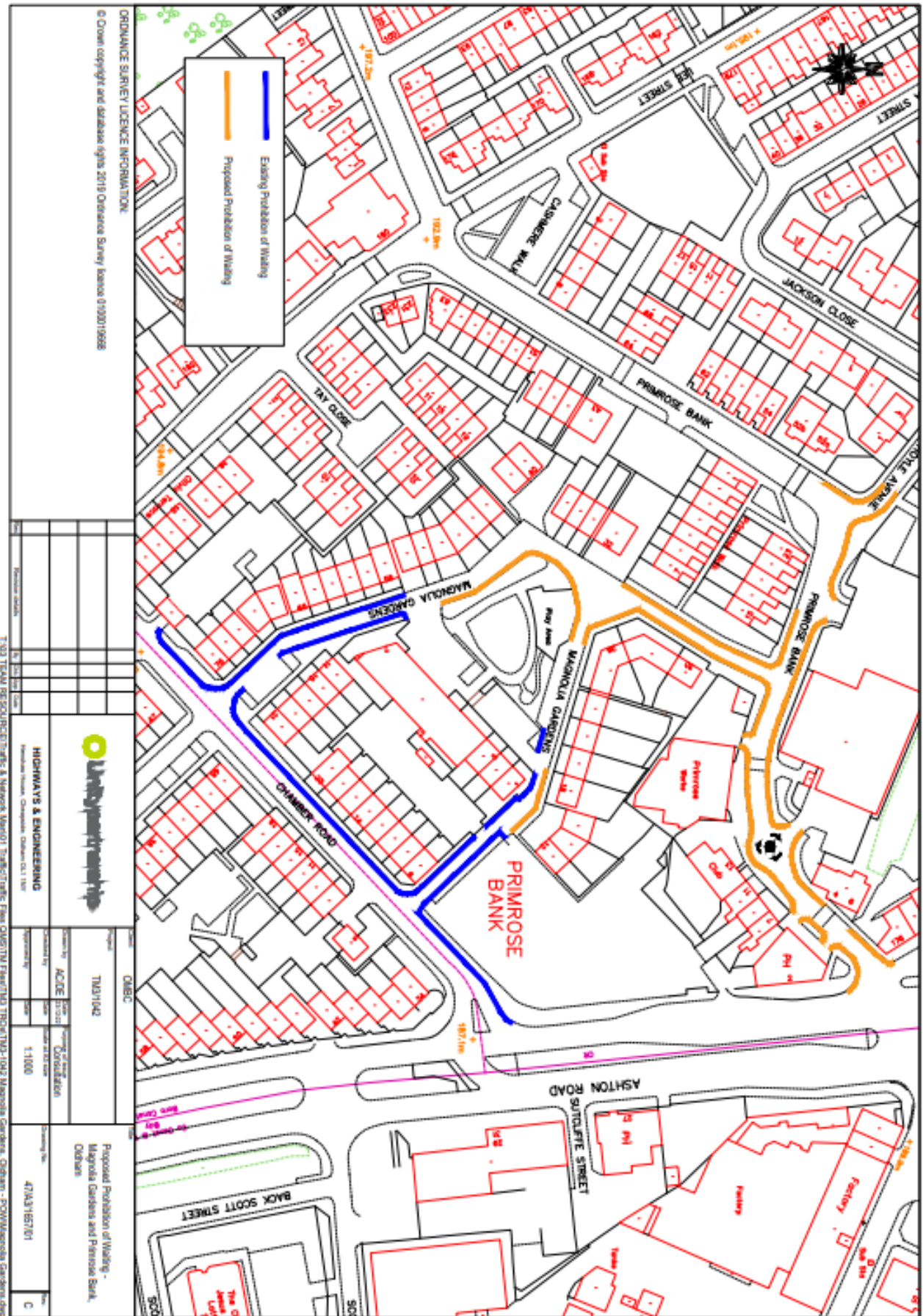
There are no background papers for this report

Report Author Sign-off:	
Andy Cowell	
Date: 3 March 2023	

In consultation with Director of Environment

Signed: 

Date: 06.03.2023



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Project No.	71431042
Client	AC/CE (City of Oshawa)
Scale	1:1000
Project Name	Proposed Prohibition of Parking - Magdalen Gardens and Primrose Bank, Oshawa
Drawing No.	471A31657/01
Sheet	C

APPENDIX B
COPY OF REPRESENTATIONS

Supporting letters

To whom it may concern,

I have received the attached letter via post and would like to give my comments regarding the proposed parking restrictions.

After reading the proposed restrictions I would like to ask of you to get this in place as soon as possible especially the prohibited parking proposal around the primrose bank area near the FitBodz Gym.

This area has become well known for being dangerous to turn onto as; parked cars create a blind spot for those turning onto Primrose Bank from Magnolia Garden.

This area has also been brought up as a cause for concern many times by residents, neighbours and family members who live on Magnolia Gardens as well as many people that live on our street that have complained about near misses due to parked cars at this junction. I myself have had many incidents of not being able to see due to a park car that is blocking my view completely of if there is any oncoming traffic.

We would really appreciate if the proposal of the parking restrictions was actioned as soon as possible to avoid any accidents here.

Thank you

I refer to your letter dated 6 June 2023 regarding the proposed parking restrictions and confirm I am for the proposals, especially around the perimeter of the play area on Magnolia Gardens.

1) The play area is used by a lot of children and cars parking in front are causing blind spots for children crossing the road.

2) cars are coming from 3 different directions when passing the perimeter of the park. Drivers are parking on the bend, causing a blind spot for oncoming cars on both directions. Incident has already happened of a car going around the bend at crashing into a residential drive/lamppost.

3) When there is a event at the primrose bank centre, people are parking recklessly everywhere around the perimeter of the park, blocking in drives, causing blind spots for other road users. It's not just few cars, there are at least over 15 vehicles parked carelessly anywhere when an event is happening.

4) when there is no event, the perimeter of the park where there is no yellow lines, it is attracting young drivers from other areas to just park in front of the park, playing loud music and disrupting the local residents. You are not able to say anything to these youngsters as there is no yellow lines and they can park there no matter how much of a danger it is causing. They are not breaking the law but it is a nuisance for the local residents and it makes the neighbourhood unruly.

5) most of the people that are parking everyday around the perimeter and bend of the play area, have parking available to them behind their houses in a safe car park designed for them and there is plenty of space. It is not justified to park around the perimeter of the park and cause danger just because you do not wish to walk that bit extra to go to your home and park at the back.

Please see picture of the blue and black car parked on the bend. Usually more cars are parked at night. When cars are going around this bend from either direction, it is a blind spot and a risk.







example Of how cars park around the perimeter of the play area during the day. I feel it is a hazard for oncoming traffic that comes from 3 different directions and for anyone using the footpath /playarea.

Please see how people from other areas park around the perimeter of the play area . It makes it difficult to get out the drive or reverse park into the drive and makes the situation more dangerous for all road users and people/children.

I hope you will consider all the risks and look forward to hearing the outcome.

Kind regards,

Objection 1

We run a community cafe on Primrose Bank. I have only come across this proposal ref-LJM/22235 when a neighbour brought it to my attention as nothing was sent to us.

We strongly object to this proposal because it will have a negative impact on our business. It will affect customers and it will affect the food delivery services we use such as Uber, Just Eat etc as drivers will not have anywhere to park to pick up orders.

There are other businesses that also require parking and seriously feel that this proposal needs to be looked at again, taking into consideration the livelihood of the local community and the services that are being provided.

I look forward to your response.

Objection 2

To whom it may concern

We have recently been made aware you are considering putting double yellow lines on these roads, which surround my place of work.

Putting these double yellow lines on these streets would result in myself having to park in an alternative location around the corner from primrose bank on crossbank way where I would have to walk in the dark during the winter months carrying a laptop, making me feel unsafe due to the nature of the area. Alternatively I would have to park on Lee Street resulting in the same outcome.

With two other businesses being built in the area this will cause more issues elsewhere possibly making it more difficult to access other areas.

We could appreciate if double yellow lines were going to be put down on side of the road to prevent double parking however your current proposal would result in the above issues.

Kind regards

Objection 3

We have recently been made aware you are considering putting double yellow lines on these roads, which surround my place of work.

Putting these double yellow lines on these streets would result in myself having to park in an alternative location around the corner from primrose bank on crossbank way where I would have to walk in the dark during the winter months carrying a laptop, making me feel unsafe due to the nature of the area. Alternatively I would have to park on Lee Street resulting in the same outcome.

We could appreciate if double yellow lines were going to be put down on side of the road to prevent double parking however your current proposal would result in the above issues.

Objection 4

Hi

I work for fcho and park on one of the accompanying streets, I do this considering the neighbouring properties always ensuring I am parking courteously. I have been made aware of the above plans and I feel this will resolve nothing but solely move the parking to a street close by.

You only have to drive two streets away, less than 300 meters and you will see double parking and only enough clearance for one vehicle at a time. This is more of an issues than the parking detailed above. If you go ahead with these plans it would only result in the surrounding areas being even more crowded potentially leading to more issues and damage to vehicles. I have been witness to the parking around primrose bank for over a year and nobody ever parks inconsiderably or uncourteously so feel these measures are unwarranted.

I hope you look into this further this and investigate the adjoining streets to see the impact these double yellows would result in as I don't feel it will resolve any problems but simply create more

Kind regards

Objection 5

If the traffic order is in place there wouldn't be anywhere to legally park conveniently to use the gym also what I've been advised from the management that this has the potential to affect business and the possibility of closure.

Which is a concern as I am a member and use the business.

Thanks

Objection 6

Hi,

I am writing to object against the proposed planning of double yellow lines outside my local fitness centre on primrose bank.

I have been coming to this gym since 2002 and by adding double yellow lines it would make it difficult for me to attend the gym. There has never been an issue with parking but by doing this it would make various local businesses suffer and the community who attend the fitness centre or West Indian social club.

Kind regards

Objection 7

I train at FitBodz and these yellow lines I'm against them, don't you have enough yellow lines around Oldham, this is going to cause a lot of problems in the future where people can't park whilst trying to attend the gym.

Objection 8

i am objecting to the above works as this will impact completely on our business. we provide a community gym for local, people from out of town, disabled people, problem children etc. the closure of our business would be virtually immediately as customers would not be able to park.

i am informed this is a road safety issue, yet we have had no serious accidents on this road for the 20 plus years we have been here.

There has been 2 stabbings on primrose bank the last few years (one fatal) so the idea of women, disabled and problem children having to leave their cars and walk would put them in severe danger

I oppose the traffic restrictions on these grounds.

also there has been no consultation with any local business or residents so we would like to know where this concern has come from also why no consultation with ourselves or others

regards

Objection 9

Dear Oldham Council,

I hope this letter finds you well. I am writing to express my strong objection to the proposed parking restrictions that have been recently announced by the Highways and Engineering Traffic Section of Oldham council. As a resident and taxpayer in this community, I believe these restrictions are unnecessary and will have a negative impact on the residents and local businesses.

First and foremost, the proposed parking restrictions will severely limit the availability of parking spaces in our neighborhood. This will not only inconvenience residents but will also discourage visitors from frequenting local businesses. Small businesses rely heavily on convenient parking to attract customers, and imposing unnecessary restrictions will only hurt their ability to thrive. As a result, these restrictions could potentially lead to a decline in economic activity and job losses in our community.

Furthermore, the proposed parking restrictions fail to take into account the diverse needs of the residents. Many individuals, including the elderly, people with disabilities, and those with limited mobility, heavily depend on close and accessible parking spaces. By implementing these restrictions, you would be disregarding the needs of these vulnerable members of our community, thereby compromising their ability to carry out their daily activities independently.

Moreover, the timing and manner in which these restrictions were announced have been inadequate. There was a lack of proper community engagement and consultation before making this decision. It is crucial that the concerns and opinions of residents are taken into account and that a collaborative approach is adopted when implementing changes that directly impact our community.

I urge you to reconsider these proposed parking restrictions and instead explore alternative solutions that address the concerns of residents while supporting local businesses. Some possible alternatives include implementing a resident-only permit

system, increasing public transportation options, or constructing additional parking facilities to accommodate the growing needs of the community.

In conclusion, I strongly object to the proposed parking restrictions due to their potential adverse effects on residents, local businesses, and the overall quality of life in our community. I kindly request that you revisit this decision and work towards a solution that takes into consideration the diverse needs and opinions of the community.

Thank you for your attention to this matter. I look forward to your prompt response and a constructive dialogue regarding this issue.

Sincerely,

Objection 10

Dear Oldham Council,

I hope this letter finds you well. I am writing to express my strong objection to the proposed parking restrictions that have been recently announced by the Highways and Engineering Traffic Section of Oldham council. As a resident and taxpayer in this community, I believe these restrictions are unnecessary and will have a negative impact on the residents and local businesses.

First and foremost, the proposed parking restrictions will severely limit the availability of parking spaces in our neighborhood. This will not only inconvenience residents but will also discourage visitors from frequenting local businesses. Small businesses rely heavily on convenient parking to attract customers, and imposing unnecessary restrictions will only hurt their ability to thrive. As a result, these restrictions could potentially lead to a decline in economic activity and job losses in our community.

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Moreover, the timing and manner in which these restrictions were announced have been inadequate. There was a lack of proper community engagement and consultation before making this decision. It is crucial that the concerns and opinions of residents are taken into account and that a collaborative approach is adopted when implementing changes that directly impact our community.

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In conclusion, I strongly object to the proposed parking restrictions due to their potential adverse effects on residents, local businesses, and the overall quality of life in our community. I kindly request that you revisit this decision and work towards a solution that takes into consideration the diverse needs and opinions of the community.

Thank you for your attention to this matter. I look forward to your prompt response and a constructive dialogue regarding this issue.

Please acknowledge receipt of this email.

Faithfully

Objection 11

Thank you for your correspondence outlining the proposed plans for Parking restrictions. I do not have a specific reference number as none has been specified on the correspondence that we received. I think having a unique reference number would have allowed you to be more organised in dealing with this proposal. Needless to say, my correspondence is related to the plans proposed around the primrose bank and surrounding area. Thank you for identifying the area of the proposed parking restrictions for our understanding, as you can imagine I am not too familiar with the terminologies so I can only assume the parking restrictions refer to what is commonly referred to as double yellow lines!

Introduction:

We operate Newley established local family business. We are located at primrose bank, Oldham, OL8 1HQ. It is an art studio and a shop. A place where we not only create bespoke art, but have art pieces, wall art to sell, like any typical retail shop. Our small local business is a new business, we have been in the premises for just over 12 months, gradually renovating it and setting ourselves up, whilst still being in a soft opening phase. We have just got to a point where we are able to open our doors to the public officially. It has taken us 12 months to get to where we are at, yet we have a long way to go to provide a service our community/residents and the borough needs. A completely unique business in Oldham which aims to help educate and spread art and grow the passion for art. At the moment we operate by customers visiting the studio, speaking to us about their wall space for art, have customised art work created, or just be able to pick something off the shelf. We have customers requesting that we hold art clubs and classes, for all ages. This is something that we will be setting up in the near future as we become more established.

Without diving in to the statistics of how deprived Oldham is, a business and an opportunity that we hope to bring to Oldham is very much needed and important. It will help to relieve mental stress, allow people to engage more with each other, learn to be more creative, and generally IMIJS art studio gives more options for locals to do in Oldham, than just fast food takeaways and restaurants.

Parking outside our business:

A lot of the time we just use up one parking space on the road. We always try to ensure we leave a parking space or two for customers to park for when they visit the art studio, and other local business, or for when small delivery drivers drop off Amazon, or eBay parcels to local residents living on Ashton road. Directly opposite me is a block of apartments who have residents living there and require parking facility. Up the road after the roundabout there is a cafe which also recently opened its doors. They serve locals light food and drinks. Then we have a gym and housing units office. Back towards Ashton road there are a few businesses including an accounting firm, a convenience store and a foreign currency shop. There are yet a further more retail units being built. All these are businesses that are operating and require parking. At any given time, there are 30 cars safely parked in the proximity and in the areas, you have marked out on the pixelated map. Around the corner from the art studio there is a populated area of residents who require a lot of parking.

Your proposal for parking restrictions:

You have proposed a plan to restrict parking in and around this area. I would like to ask if you have considered all of these residents and locals in your plans and if so, what is the

proposed plan for parking of all vehicles? How have all these vehicles been facilitated in your plan? Why has this not been sent out along with the proposal? Where is the plan for assurance for businesses and residents? If you have not factored all these businesses and residents in to your proposal then what is the purpose of your plan? How have you devised a plan and not considered the locals it effects? How does it serve the community? how does it make it easier for residents to live in the area and for a business to exist let alone thrive in Oldham? Where do you propose for all these business and residents to park their vehicles? by 2030 the government plans to ban the sale of all except electric vehicles. how is your plan future proof and helping to introduce an infrastructure which will not require millions of pounds re-spent in a few years ? What is the impact on the value of property and local business? how will we be compensated? with oldham town centre in so much refurb and redevelopment plans, retail shops closing what are you doing to help rebuild Oldham? How do you think this proposal will help to rebuild the town and have that foot flow of shoppers to get our local economy booming? What happens to my art studio and other businesses if customers can not park any where near or remotely close enough to get to the business?

Appeal

I think it is safe to note that my response to your proposal is an objection. I do not like how this is being proposed, I do not like how no consideration has been given. I do not like how no compensation of plan and reassurance has been outlined. I do not like how your vision for Oldham and the area is useful to us in anyway. The residents living opposite the art studio will have nowhere to park. Those going to the gym come from varying distances, the housing unit office where staff have to park outside on the road, the locals who live nearby are all left bewildered. My customers will have nowhere to park, thus directly effecting my trade before I have been able to officially get my business off the ground. I think you need to revise your proposal and be prepared to answer the above questions.

I hope all of my questions can be answered and you rethink your proposal for restricted parking.

I anticipate a response to my objection letter and expect a letter of acknowledgement with a date to hear back from you with an update to this proposal and an outcome.

thank you for taking time out to hear our concerns as a business at primrose bank, oldham, ol81hq. I look forward to your reply

kind regards

Objection 12

I object to the proposal concerning outside 9 Primrose bank.

The OMBC has blocked our car access to the rear via the back entrance, which we have used in the past for over twenty five years.

Now you are going to block the parking at the front of the building.

where Are we suppose to park?

Apply this principle outside your home or business premises.

I will attend the group meeting, please notify me with date and time of the face to face meeting.

I OBJECT TO THE PROPOSAL.

kind regards,

Objection 13

Good evening,

I have received a hand delivered letter regarding the parking restrictions on primrose bank. I strongly object to this proposal because we will struggle to park our cars and this close to the main road and there is no other parking near by.

We don't even have a driveway and working from home would mean my car would be mostly parked outside my house and the residence nearby parking space are for their own use.

We don't even have any access from the back and this would make things harder for us.

Please reconsider this because this would not be fair on us.

Regards,

Objection 14

Hi to whom It may concern,

The proposal for parking restrictions on Primrose bank i am writing to state i strongly oppose this as it will affect my parking and affect my business.

Objection 15

Dear Sir/Madam,

I have received a hand delivered letter regarding the parking restrictions on primrose bank. I strongly object to this proposal as we are a small business operating from this location. We will struggle to park our cars as well as our clients who come to visit our office with your proposal. This will have a massive impact on our business.

Kind regards

Objection 16

My reason for this objection on this Proposed parking restrictions is that the Anglo West Indian social club located at 13 Primrose bank Oldham OL81HQ which I'm a member will be gravely affected by this especially when having events and funerals, There are also other business next doors and no where else for packing
Ref:A/CTM3

Your consideration will be greatly appreciated

Objection 17

As secretary of the Anglo West Indian social club at 13 primrose bank. On behalf of our membership of 50 and patrons we wish to let you know that we object to parking restrictions on primrose bank. This is unnecessary and we have been in business here for over 50 years and there have been no accidents of any significance to warrant this.
Thanks

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TRO Panel

Decision Maker:	Director of Environment, Nasir Dad
Date of Decision:	28 September 2023
Subject:	Proposed Prohibition of Waiting – Stock Lane, Chadderton
Report Author:	Mark Woodhead, Traffic Engineer
Ward (s):	Chadderton Central

Reason for the decision: 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 copy of the approved report is provided within Appendix A and a copy of the main objection is provided within Appendix D.

Summary: In response to the objections: Any business or residential property needs to take into consideration that on street parking within the highway is not guaranteed, when purchasing or redeveloping a property.

Officers from the Council met with the objector and a representative of the business that reported problems with the on street parking.

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

The purpose of this report is to consider the representations received to the introduction of prohibition of waiting restrictions and alternative options.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s)

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

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

Ward Members have been consulted and confirm their support to reduce the yellow lines on Stock Lane

Recommendation(s):

It is recommended Option 2 be progressed and the length of the yellow lines reduced in accordance with the revised Schedule provided in Appendix B and Drawing 47/A4/1683/1 Rev A provided in Appendix C.

Implications:

What are the financial implications?

These were dealt with in the previous report (refer to Appendix A)

What are the legal implications?

These were dealt with in the previous report (refer to Appendix A)

What are the procurement implications?

None

What are the Human Resources implications?

None

Equality and Diversity Impact Assessment attached or not required because (please give reason)

Not required because the measures proposed are aimed at improving road safety

What are the property implications

None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)

Risks:

None

Co-operative agenda

These were dealt with in the previous report (refer to Appendix A)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

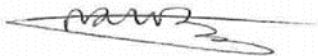
There are no background papers for this report

Report Author Sign-off:	
Mark Woodhead	
Date: 6 September 2023	

Please list and attach any appendices:-

Appendix number or letter	Description
A	Approved Mod Gov Report
B	Revised Schedule
C	Revised Plan
D	Copy of Representation

In consultation with Director of Environment



Signed :

Date: 15.09.2023

APPENDIX A

APPROVED MOD GOV REPORT



Delegated Officer Report (Non Key and Contracts up to a value of £100k)

Decision Maker: Director of Environment, Nasir Dad
Date of Decision: 24 January 2023
Subject: Proposed Prohibition of Waiting – Stock Lane, Chadderton
Report Author: Mark Woodhead, Traffic Engineer
Ward (s): Chadderton Central

Reason for the decision: Stock Lane is sited to the east of Oldham Town Centre and provides an access route to industrial units within the Palm Business Centre.

The Highways Department of the Council recently received a report of difficulties from a business that accesses their site via Stock Lane. The business has a fleet of large vehicles and parked vehicles on Stock Lane impact on the swept path of these larger vehicles.

Officers have inspected the location and support the introduction of an extension of existing restrictions which are currently in place on Stock Street.

It is proposed to introduce a prohibition of waiting restriction, Mon to Sat, 7am – 7pm on Stock Lane as detailed on plan 47/A4/1693/1

Summary: The purpose of this report is to consider the introduction of a prohibition of waiting restriction on Stock Lane, Chadderton to improve vehicle access to local businesses.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s): The alternative option is to continue to permit on street parking and do nothing.

The recommendation to provide No Waiting Restrictions Mon to Sat 7am – 7pm to remove

parking that restricts vehicle movements of larger vehicles.

Justification:

If approved, the proposal will:

- provide clear carriageway space to assist vehicle movements in/out of businesses

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and are happy to support any arrangements which will improve access to the Palm Business Centre for local businesses during normal hours of work

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

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

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

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

Recommendation(s):

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

Implications:

What are the financial implications?

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	100

The advertising & road marking expenditure of £1,700 will be funded from the Highways TRO budget.

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. (John Edisbury)

*What are the **legal** implications?*

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.

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)

*What are the **procurement** implications?*

None

*What are the **Human Resources** implications?*

None

***Equality and Diversity Impact Assessment** attached or not required because (please give reason)*

Not required because the measures proposed are aimed at improving highway conditions

What are the *property* implications

None, the work is being undertaken on the public highway which is under the control of the Highway Authority. (Rosalyn Smith)

Risks:

None

Co-operative agenda

Introducing waiting time prohibitions on Stock Lane is recommended to address grievances of local businesses, reduce inconsiderate parking and improve access to industrial business sites within the Palm Business Centre (Mahmuda Khanom, Policy Support Officer)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

Remove from Oldham Borough Council (Chadderton Area) Consolidation Order 2003

Part I Schedule 1

Item No	Length of Road	Duration	Exemptions	No Loading
CH46	<u>Stock Lane</u> (Both Sides) From its junction with Stockfield Road for a distance of 64 metres in a south easterly direction	Mon Sat 7am - 7pm	A, B1, B2, B3, B4, C, J	

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

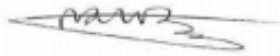
Part I Schedule 1

Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Stock Lane</u> (Both Side) From its junction with Stockfield Road for a distance of 107 metres in a south easterly direction	Mon Sat 7am - 7pm		

There are no background papers for this report

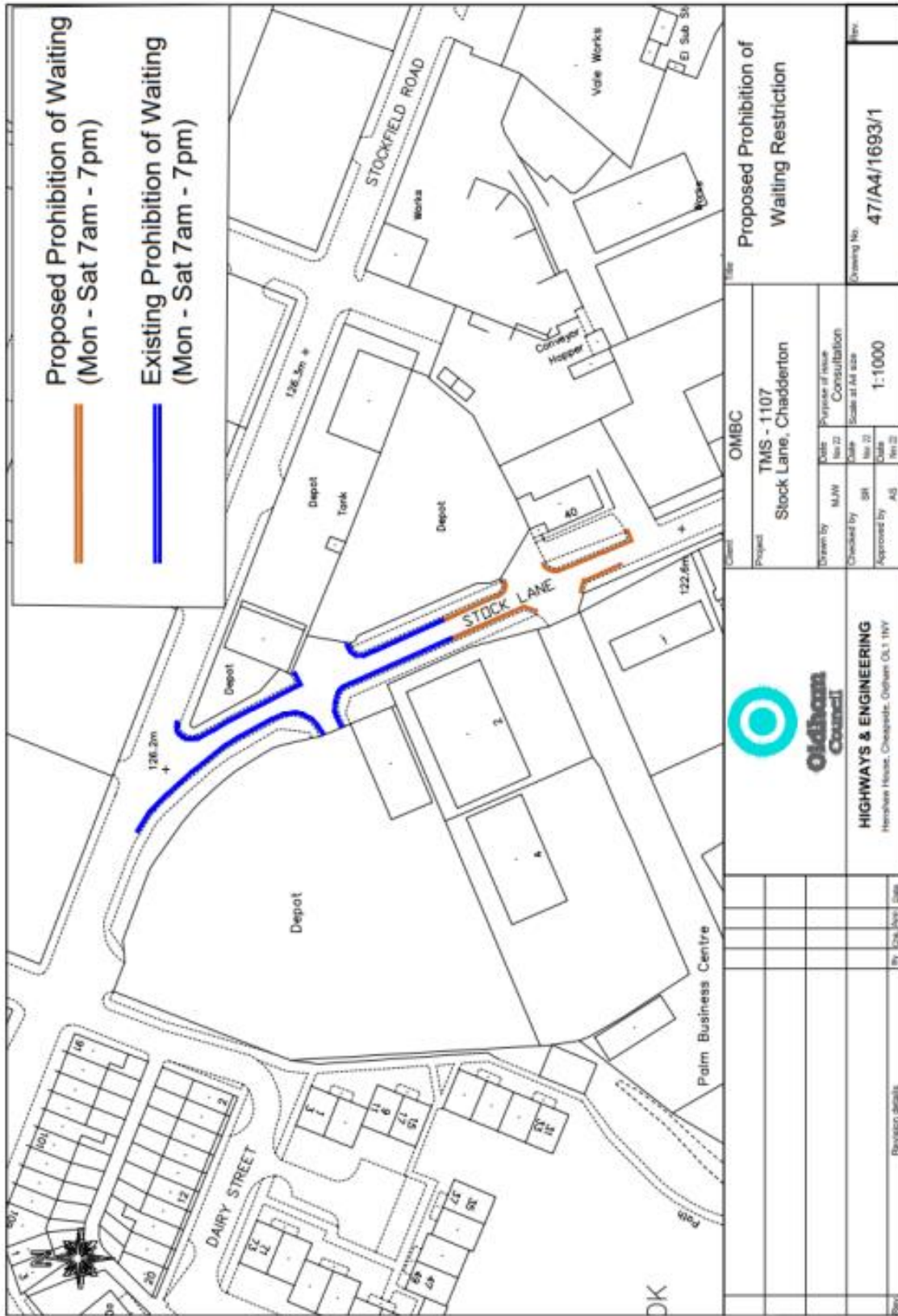
Report Author Sign-off:	
Mark Woodhead	
Date: 24 January 2023	

In consultation with Director of Environment



Signed :

Date: 01.02.2023



<p>Oldham Council HIGHWAYS & ENGINEERING Henshawe House, Chadderton, Oldham OL3 1BY</p>		<p>Client: OMBC</p> <p>Project: TMS - 1107 Stock Lane, Chadderton</p>	<p>Title: Proposed Prohibition of Waiting Restriction</p>								
<p>Drawn by: MJW</p> <p>Checked by: SH</p> <p>Approved by: AG</p>	<p>Date Iss 22</p> <p>Date Iss 22</p> <p>Date Iss 22</p>	<p>Purpose of Issue: Consultation</p> <p>Scale at A4 size: 1:1000</p>	<p>Drawing No: 47/A4/1693/1</p>								
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APPENDIX B

Remove from Oldham Borough Council (Chadderton Area) Consolidation Order 2003

Schedule 1

Item No	Length of Road	Duration	Exemptions	No Loading
CH47	<u>Stock Lane</u> (Both Sides) From its junction with Stockfield Road for a distance of 64 metres in a south easterly direction	Mon Sat 7am - 7pm	A, B1, B2, B3, B4, C, J	

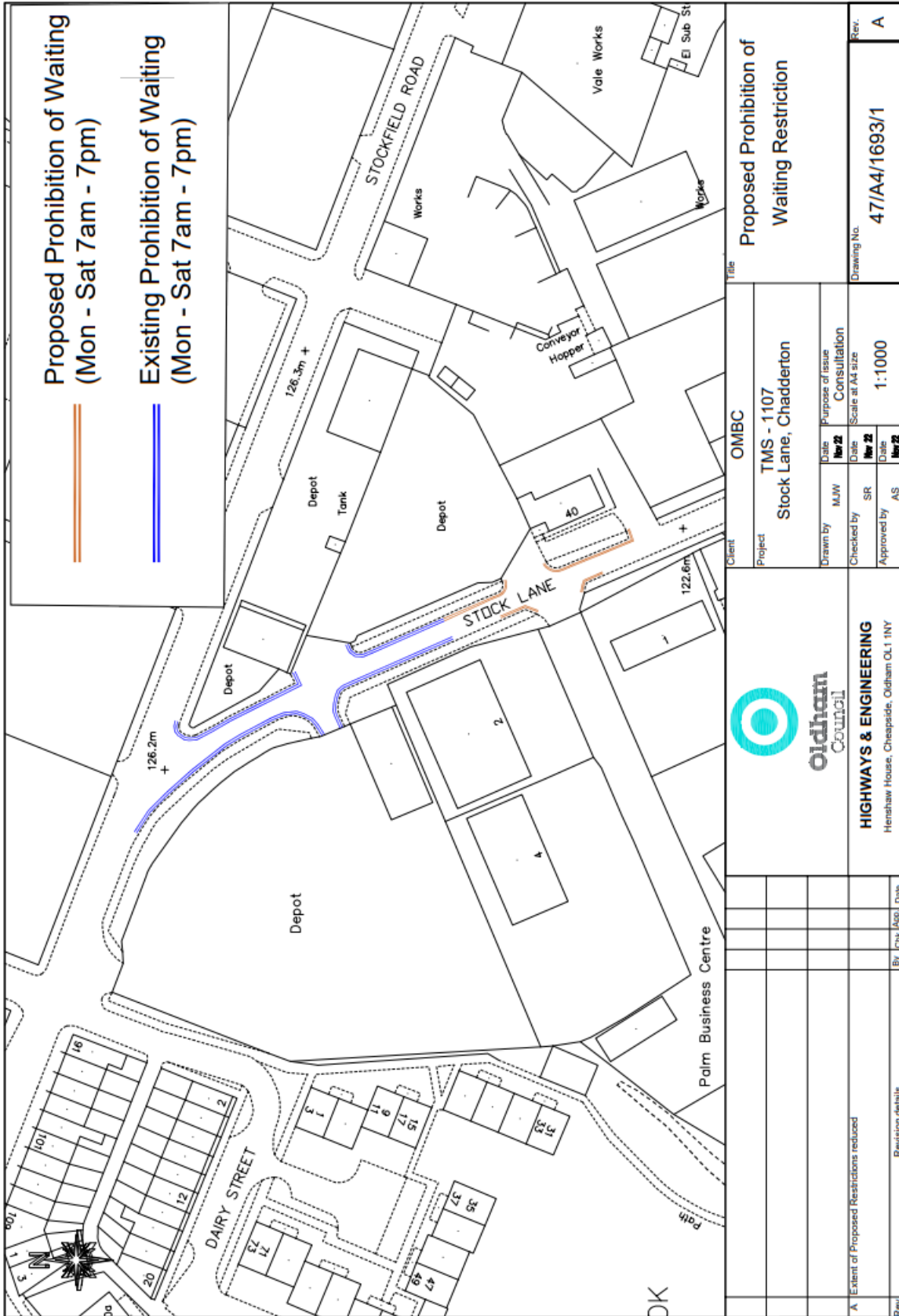
Add to the Oldham Borough Council (Chadderton Area) Consolidation Order 2003

Schedule 2

Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Stock Lane</u> (East Side) From its junction with Stockfield Road for a distance of 107 metres in a south easterly direction	Mon Sat 7am - 7pm		
	<u>Stock Lane</u> (West Side) From its junction with Stockfield Road for a distance of 64 metres in a south easterly direction	Mon Sat 7am - 7pm		
	<u>Stock Lane</u> (West Side) From a point 75 metres south east from its junction with Stockfield Road for a distance of 24 metres in a south easterly direction.	Mon Sat 7am - 7pm		

APPENDIX C

OPTION 2 – REVISED PLAN



 <p>Oldham Council</p> <p>HIGHWAYS & ENGINEERING Henshaw House, Chesapeake, Oldham OL1 1NY</p>	<p>Client: OMBC</p> <p>Project: TMS - 1107 Stock Lane, Chadderton</p>	<p>Title: Proposed Prohibition of Waiting Restriction</p>										
	<table border="1"> <tr> <td>Drawn by: MJW</td> <td>Date: Nov 22</td> <td>Purpose of issue: Consultation</td> </tr> <tr> <td>Checked by: SR</td> <td>Date: Nov 22</td> <td>Scale at A4 size: 1:1000</td> </tr> <tr> <td>Approved by: AS</td> <td>Date: Nov 22</td> <td></td> </tr> </table>	Drawn by: MJW	Date: Nov 22	Purpose of issue: Consultation	Checked by: SR	Date: Nov 22	Scale at A4 size: 1:1000	Approved by: AS	Date: Nov 22		<table border="1"> <tr> <td>Drawing No. 47/A4/1693/1</td> <td>Rev. A</td> </tr> </table>	Drawing No. 47/A4/1693/1
Drawn by: MJW	Date: Nov 22	Purpose of issue: Consultation										
Checked by: SR	Date: Nov 22	Scale at A4 size: 1:1000										
Approved by: AS	Date: Nov 22											
Drawing No. 47/A4/1693/1	Rev. A											
<table border="1"> <thead> <tr> <th>Rev</th> <th>By</th> <th>Chk</th> <th>App</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>A</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Rev	By	Chk	App	Date	A					<p>Revision details</p>	
Rev	By	Chk	App	Date								
A												

APPENDIX D

COPY OF REPRESENTATION

Site meeting held on the 14/07/2023 with Officer from Oldham Council and Objector to proposal.

Objection to increased restrictions as problem only occurs on Fridays and not during most of the week, also proposal does little to address speeding vehicles. The restrictions also impact the operation of businesses and reduce the availability of vehicles to park close to the business.



Report to TRO Panel

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 28 September 2023

Subject: 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.

Report Author: Liam Kennedy, PRow Officer

Ward: St Mary's

Reason for the decision: The Council requires the diversion of Footpath 152 Oldham (part) which currently passes over the now removed Oldham Way Footbridge.

Summary: The application has been considered in the light of the required removal of the Footbridge 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.

Background: The request for diversion is a result of the removal of the Oldham Way Footbridge due to numerous vehicular strikes and substandard headroom making the structure vulnerable to further impact.

The Order-making and Confirming Authority are guided to weigh the interests of the landowner against the overall impact of the proposal on the public as a whole, noting that reducing or eliminating the impact of the current route of the right of way on the landowner, in terms of

privacy, security and safety, are important considerations to which due weight should be given. In these limited circumstances only, the Order-making Authority should, therefore, be predisposed to make the Order provided it satisfies the relevant test for the making of the Order set out in the legislation, namely that in the interests of the landowner, it is expedient that the line of the right of way should be diverted.

The principal test before deciding whether to confirm a Public Path Diversion and Definitive Map and Statement Modification Order is that the diversion should not be substantially less convenient to the public in consequence of the diversion and that it is expedient to confirm the Order.

Proposal:

The existing route of Footpath 152 Oldham is shown on the attached plan (764/A4/238/1). Footpath 152 commences at (GR SD93198 04732) proceeding in a north-westerly direction across the 'red tin' footbridge for a distance of approximately 124m to point A (GR SD93120 04732) then north east for a distance of approximately 39m up the pedestrian ramp to the (now removed) 'Oldham Way' footbridge to point B (GR SD93153 04849). Crossing Oldham Way via the footbridge in a generally northerly direction for a distance of approximately 38m to point C (GR SD93133 04881) to then turn and proceed down the pedestrian ramp in a south westerly direction for a distance of approximately 65m to terminate on Gas Street at point D (GR SD93079 04846). The description of the current route is given in Schedule 1.

The diverted path is also shown on the plan (764/A4/238/1) and follows points A-E-F. The description of the diverted route is given in Schedule 2.

The applicant proposes a diversion via the downhill ramp to join the adopted Footway on the southern side of Oldham Way negating the need to cross via the (now removed) footbridge spanning Oldham Way.

If the order is confirmed it will be necessary to modify the Definitive Map and Statement for Footpath 152 Oldham. 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.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Option 1: To approve the recommendation
Option 2: Not to approve the recommendation.

Option 1 is recommended as otherwise the Oldham Way Footbridge will have to be reinstated.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

The Ward Members have been consulted and no comments have been received.

Footpath Societies have been consulted and;

- The Wednesday Walkers have no comment on this proposal.
- The Ramblers Association have no objection to this proposal.
- The Peak & Northern Footpath Society have no objection to this proposal.

Recommendation(s):

It is 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.

Implications:

What are the **financial** implications?

The cost of introducing the order is shown below:

	£
Advertisement of Order	1,400

The advertising expenditure of £1,400 will be funded from the 2023/24 Highways TRO budget.

(John Edisbury)

What are the **legal** implications?

Under Section 119 of the Highways Act 1980 the Council may make a public path diversion order where it appears to it to be expedient, either in the interests of the owner, lessee or occupier of land crossed by the path, or in the interests of the public, that it should be diverted. The confirming body for the order must also be satisfied that the diversion is expedient in the interests of the owner, lessee or occupier of land crossed by the path or in the interests of the public and that the path will not be substantially less convenient to the public as a consequence of the order. The confirming body must also be satisfied that it is expedient to confirm the order having particular regard to the effect on public enjoyment of the path as a whole, the effect on other land served by the existing path and the effect of the new diversion on the land and other land held with it, to be crossed by the diversion.

In the event of objections to the order, the order will be sent to the Secretary of State for determination. If no objections are received it is recommended that officers be given delegated authority to determine whether it is expedient to confirm the order, as otherwise this decision would have to be taken at a future meeting of the TRO Panel, adding unnecessary delay to the process. (A Evans)

What are the **Procurement** implications?

None

What are the **Human Resources** implications?

None

Equality and Diversity Impact Assessment attached or not required because (please give reason)

Not applicable.

What are the **property** implications

None

Risks:

None

Co-operative agenda

The diversion of Footpath 152 Oldham aligns to the Council's Co-operative agenda. The diversion will keep pedestrians and motorists safe and healthy which is a key Corporate priority (Mahmuda Khanom, Policy Support Officer)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

Schedule 1 – Description of Existing Footpath Route – Drawing 764/A4/238/1

Existing Footpath 152 Oldham commences at (GR SD93198 04732) proceeding in a north-westerly direction across the 'red tin' footbridge for a distance of approximately 124m to point A (GR SD93120 04732) then north east for a distance of approximately 39m up the pedestrian ramp to the (now removed) 'Oldham Way' footbridge to point B (GR SD93153 04849). Crossing Oldham Way via the footbridge in a generally northerly direction for a distance of approximately 38m to point C (GR SD93133 04881) to then turn and proceed down the pedestrian ramp in a south westerly direction for a distance of approximately 65m to terminate on Gas Street at point D (GR SD93079 04846).

Schedule 2 – Description of Proposed (Part) diverted Route – Drawing 764/A4/238/1

From point A (GR SD93120 04732) heading northwest for a distance of approx. 2m to point E (GR SD93119 04830). Then proceeding northeast for a distance of approx. 28m down the ramp to terminate at point F (GR SD93143 04845) on the adopted footway on the southern side of Oldham Way.

Schedule 3 – Current Definitive Statement

District and page number	Page Number	Status	Length (m)	Description	Comments
OLDHAM 10	10	F.P	171	This is a British Rail footbridge from Churchill Street to Gas Street	

**Schedule 4 – Modification of
Definitive Statement**

District and page number	Page Number	Status	Length (m)	Description	Comments
OLDHAM 10	10	F.P	154	Footpath 152 Oldham commences at (GR SD93198 04732) proceeding in a north-westerly direction across the 'red tin' footbridge for a distance of approximately 126m to (GR SD93119 04830) Then proceeding northeast for a distance of approx. 28m down the ramp to terminate at (GR SD93143 04845) on the adopted footway on the southern side of Oldham Way.	1 Footbridge

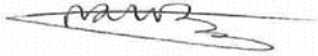
There are no background papers for this report

Report Author Sign-off:	
Liam Kennedy	
Date: 11 September 2023	

Please list and attach any appendices:-

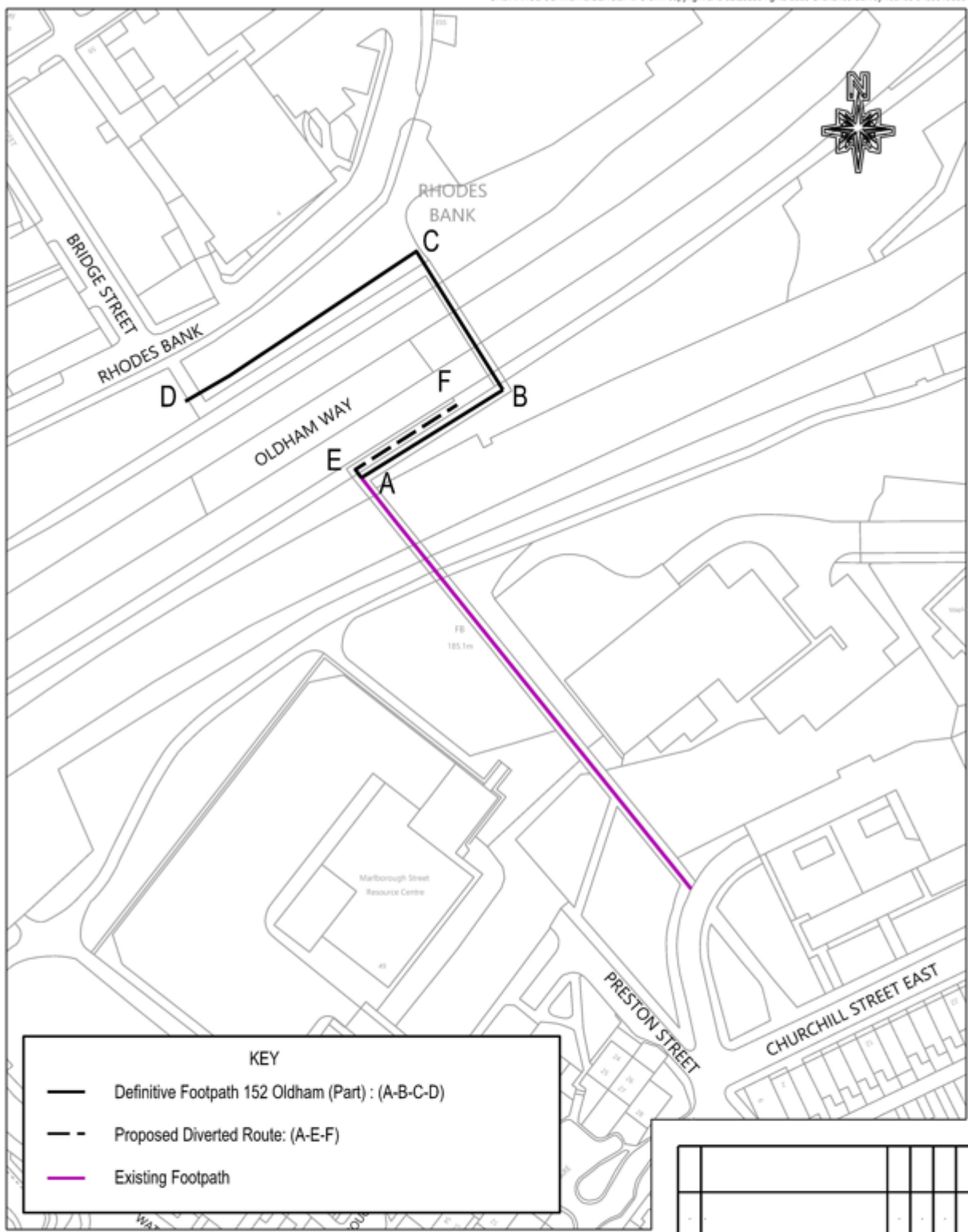
Appendix number or letter	Description
A	Briefing Note

In consultation with Director of Environment



Signed :

Date: 15.09.2023



KEY	
	Definitive Footpath 152 Oldham (Part) : (A-B-C-D)
	Proposed Diverted Route: (A-E-F)
	Existing Footpath

Rev	Revision details	By	CHK	App	Date



Oldham Council

**Place and Economic Growth
HIGHWAYS & ENGINEERING**
Henshaw House, Cheapside, Oldham OL1 1NY

Client Oldham MBC	
Project Oldham Way, Former Footbridge, Oldham	
Drawn by RW	Date 07/23
Checked by LK	Date 07/23
Approved by	Date
Purpose of issue information Scale at A4 size 1:1250	

Title Diversion of Public Highway Combined Order s119 Highways Act 1980 Diversion of Public Footpath 152 Oldham (part) and Wildlife and Countryside Act 1981 S53(2) Modification of the Definitive Map and Statement	
Drawing No. 764/A4/238/1	Rev. .

C:\PROW\PROW diversion\fp 152 Oldham\FP 152 Oldham-v1.dgn

APPENDIX A
BRIEFING NOTE

Briefing Note

Oldham Way Footbridge impact damage – Remedial Works

1 **Background**

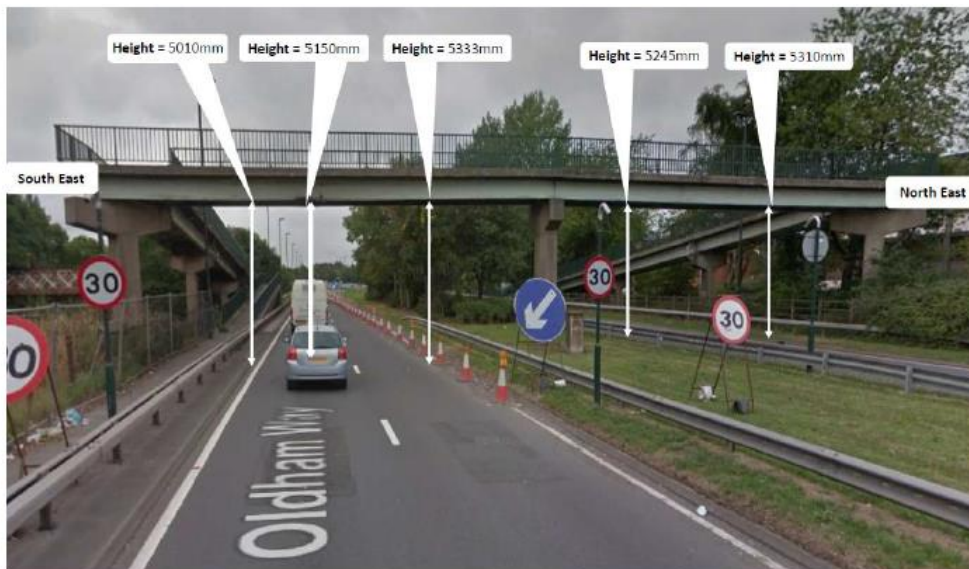
This briefing note has been prepared to outline and review the options and implications associated with the required remedial works to Oldham Way Footbridge, following the most recent impact damage.



2 Background

On 26 March 2020 the deck of Oldham Way Footbridge was impacted by objects protruding from a lorry travelling westbound on Oldham Way Bypass A62 in lane 1. Details of the vehicle were obtained by OMBC Highway Operatives.

Oldham Way Footbridge has low headroom. Records show the deck has received impact damage on at least 2 other occasions, once in 2001 and once in 2013. It is suspected that the bridge has been impacted on several other occasions, but unreported. The current minimum headroom above the carriageway is approximately 5.01m. The headroom requirement for all existing footbridges and other relatively lightweight structures vulnerable to vehicular impact is 5.41m, meaning a shortfall at Oldham Way Footbridge of approximately 400mm (see below).



Type of structure	New Construction Headroom (m)	Maintained Headroom (m)
Overbridges	5.30 + S	5.03 + S
Footbridges, Sign/Signal Gantries and other structures vulnerable to vehicular impact	5.7 + S	5.41 + S
Free Standing Temporary Structures	N/A	5.41 ¹ + S
All Permanent Structures over High Load Routes ²	6.45 + S	6.18 ¹ + S

Where S = Sag Curve Compensation in accordance with Table 6-2

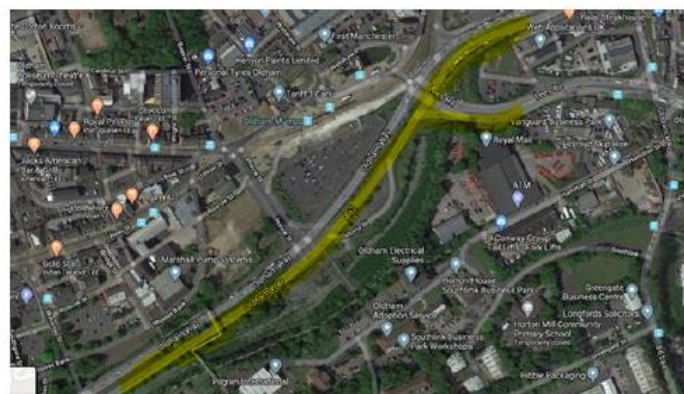
Table 6-1: Standard Headroom at Structures

Since the recent strike the bridge has been inspected and assessed with regards to carrying capacity in current condition. The assessment indicates that the bridge deck has the capacity to support its self-weight, however if loaded heavily by a vast number of pedestrians this could potentially lead to failure.

3 Temporary Measures

The bridge has been subsequently closed to pedestrians under an emergency Temporary Traffic Regulation Order and shall remain closed until it is either appropriately repaired or replaced. See Appendix A - temporary diversion route for users of the crossing.

To mitigate the bridge being impacted further in the short-term, traffic management in the form of a lane 1 closure of the westbound carriageway is currently being procured. This will block and prohibit vehicular movement below the lowest area of the bridge, where previously impacted (see below). See estimated cost breakdown for the interim traffic management in the costings section of this briefing note, for installation and the maintaining of this traffic management.



A temporary measure of raising the deck above the carriageway in the short term has been explored with an enquiry made to a specialist contractor, for a budgetary estimate and availability particularly amid COVID-19 restrictions. For the estimate 2 options were considered. Option 1 being the slight raising of the deck from the south pier to achieve a minimum headroom of at least 5.03m throughout, this is substandard for a footbridge, but meets the requirement for road bridges and reduces the risk of further impact. Option 2 being the raising of the entire deck above the carriageway to achieve the 5.41m requirement for footbridges. The provided budgetary estimates for option 1 and option 2 are £25,000 and £55,000 respectively. These costs do not allow for the appropriate welfare facilities, traffic management and the hire of equipment whilst the bridge is temporarily supported. See photographs below of provided case study of a similar structure requiring raising. See Appendix B for the provided budgetary estimates and breakdown for temporary raising of the deck.



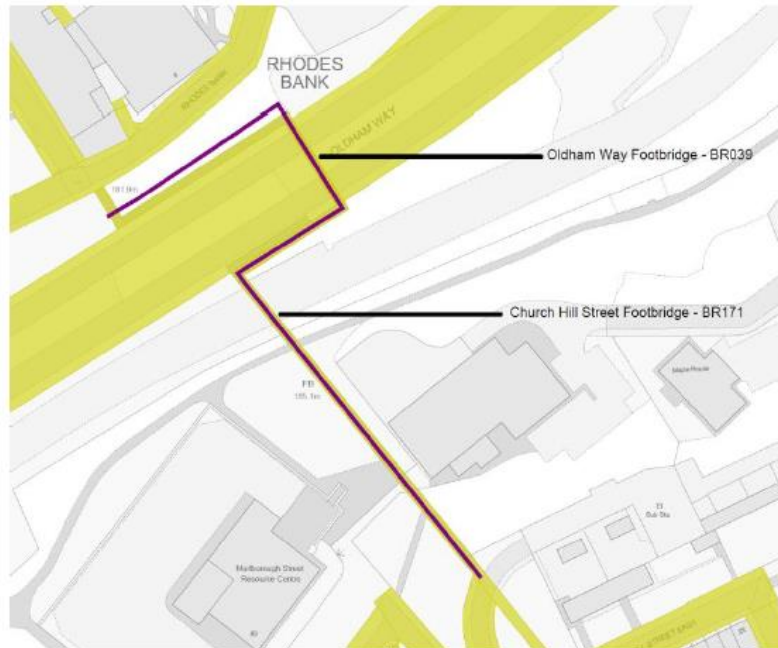
4 Bridge Removal

A budgetary estimate was also obtained for the removal of the 2 spans above the carriageway. For this estimate 2 options were also considered. Option 1 allows for significant enabling works in jacking and freeing the deck spans from the pier supports before crane lifting. Option 2 assumes that the deck will become free from the pier supports simply by burning off the holding down bolts, which the historic drawings do indicate as viable. With option 2 there is a risk that when the crane is supporting the deck it may be found that the deck is restrained also by other means, which could require significant works to breakout and release. This could result in an abortive crane lift, traffic management etc. The provided budgetary estimates for removal option 1 and option 2 are £85,000 and £55,000 respectively. These costs do not allow for the appropriate welfare facilities, traffic management and safeguarding works by installing additional barriers following the removal. See Appendix C for the provided budgetary estimates and breakdown for removal and disposal of the 2 spans above the carriageway.

Due to the closure of the Mumps station, it has been noted for numerous years that the bridge should be considered for permanent removal. An option may be for the bridge to be permanently removed and the Definitive Footpath 152 (which the structure accommodates) to be diverted. However, for this a separate exercise must be undertaken to determine if there is a public need for the crossing, whether the crossing fits in with the wider strategic development plans of OMBC and the most suitable route of diversion. Permanent diversion to the footpath route requires an extinguishment order in accordance with S118 of the Highways Act 1980. This may be contested and lead to a public inquiry with a minimum cost of £10,000, possibly resulting in the bridge being ordered for replacement.

5 Church Hill Street Footbridge

Definitive Footpath 152 is also accommodated by Church Hill Street Footbridge which is adjacent to Oldham Way Footbridge (see below).



Ownership and maintenance liability of Church Hill Street Footbridge is believed to be with OMBC following the decommissioning of the temporary tram line. This is currently under investigation by OMBC Legal Services and awaiting confirmation. Church Hill Street Footbridge is in significantly poor condition and has recently had a pilaster which was dangerously overhanging the footpath partially demolished, due to safety concerns. It is therefore prudent that Church Hill Street Footbridge also be considered for removal or upgrading and included in the required study / investigation works for Oldham Way Footbridge.





4 Costings

The estimated cost for jacking and propping the deck to meet the standards of the Design Manual for Roads and Bridges is £55,000.00 not including costs for welfare facilities, traffic management and the hire of equipment.

The estimated cost for jacking and propping the deck to the height 5.03m to achieve the headroom requirement of road bridges is £25,000.00 not including costs for welfare facilities, traffic management and the hire of equipment

The estimated cost for the deck to be removed and disposed of allowing for the recommended enabling works is £85,000.00 not including costs for welfare facilities, traffic management and safeguarding works installing additional barriers following the removal.

The estimated cost for the deck to be removed and disposed of assuming a relatively simple crane lift is £55,000.00 not including costs for welfare facilities, traffic management and safeguarding works installing additional barriers following the removal.

Hire costs for the propping equipment is estimated at circa £2,000 per week following the first 2 weeks.

Welfare costs are estimated at £300 per day.

Costs of the interim traffic management measure of closing lane 1 of the westbound carriageway (installation and maintenance):

- £4,200 for 1 month
- £10,800 for 3 months
- £43,600 for 12 months

Costs for the traffic management required for raising or removing the deck spans is estimated to be circa £20,000.

Costs to upgrade the current barriers to the bridge following removal of the 2 spans is estimated to be £2,000.

Oldham Unity fees are estimated to be £7,500. Fee proposal and Brief response to follow, upon agreement of proposed scope of works.

5 Risks

It is evident that the bridge has been impacted sporadically over past years. It is also noted that with a headroom of over 5m it is unlikely to be impacted by a vehicle, and if impacted it is more likely to be by objects protruding from a vehicle. Considering the weakened state of the damaged deck beam, further impact could result in an instant collapse, and owes to the type of object that it is struck by.

The temporary jacking and propping of the deck would reduce the risk of further impact. However, this will not enable the bridge to be opened to pedestrian usage any sooner, as it does not include for structural repair works and causes a difference in surface level between the approach ramps and the main bridge deck.

Attempting to remove the deck without prior enabling works to release (Bridge removal option 2) carries increased risk. From record drawings it appears the deck is held down in place with bolts that can be broken or removed to free the spans ready for lifting. However, there is a reasonable possibility that there are other hidden elements restraining the deck spans that will need significant work to release. This may result in an abortive crane lift, traffic management etc.

5 Recommendation

It is recommended that the bridge be removed at the earliest opportunity. Given the risks with attempting to remove the deck without prior enabling works, it is also recommended that this be undertaken following localised enabling works to free the deck from the supports (bridge removal option 1).

A separate study must be undertaken to determine the public need for the crossing, whether the crossing fits in with the wider strategic development plans of OMBC and the most suitable route of diversion. This will inform a decision to be made with regards to the bridge being replaced, renewed or permanently decommissioned. The remaining elements of the structure (piers, approach ramps, abutments etc) should be considered for potential reuse if it is determined by the study

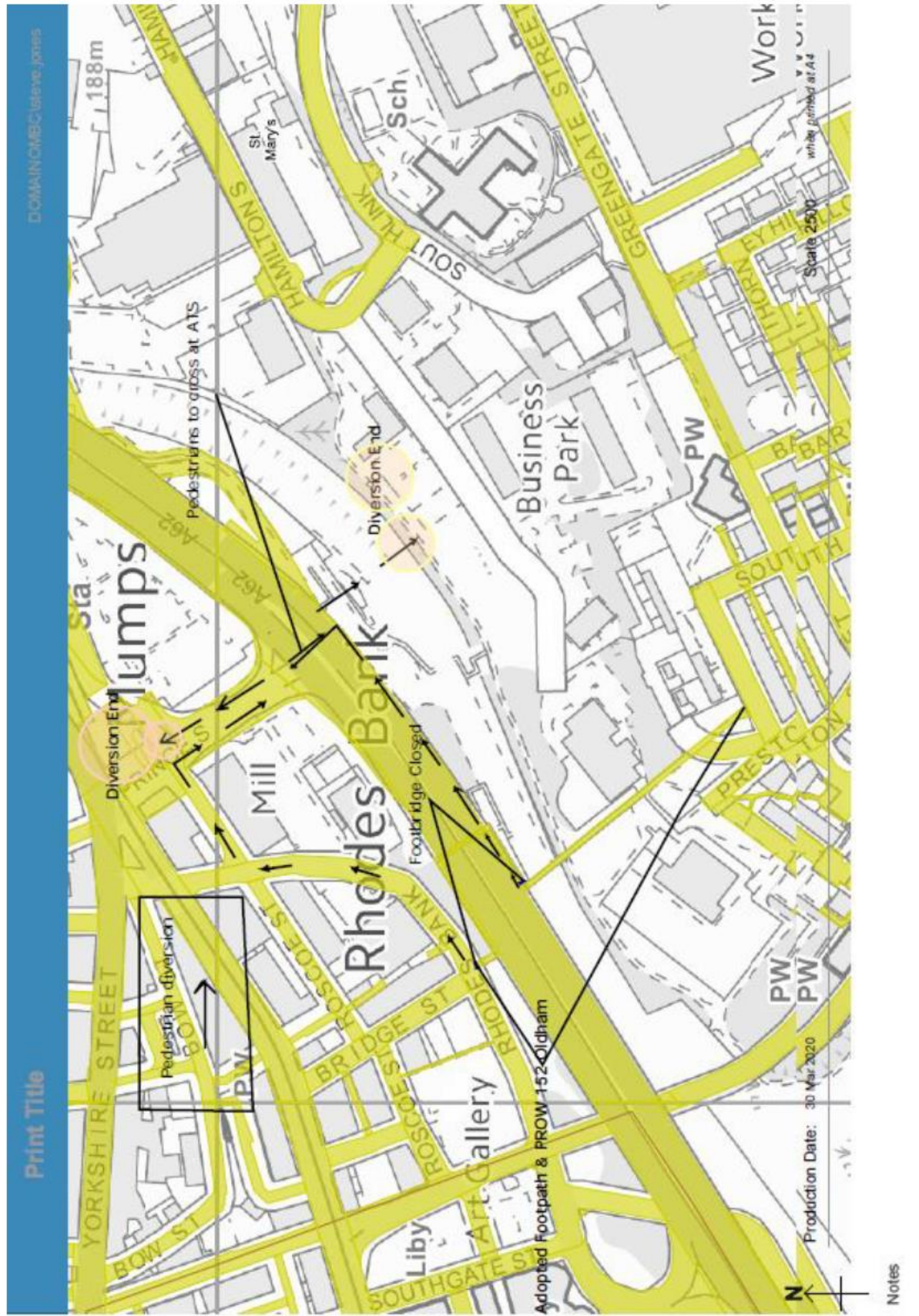
that the bridge must be replaced or renewed. This study will inform the funding requirements of the next phase of works (which is not included in the below Recommended Interim Works Budget Costs).

The ownership of Church Hill Street Footbridge is currently being investigated by OMBC Legal Section. If it is determined that it is an OMBC asset, this will be followed by a Principal Inspection to ascertain the current condition in detail. This structure will need to be considered in the study along with Oldham Way Footbridge to determine the public needs, whether the crossing fits in with the wider strategic development plans of OMBC and the most suitable route for diversion.

Recommended Interim Works Budget Costs – assuming removal within 3 months

Bridge Removal	£85,000
Welfare	£9,000 (6 wks)
TTRO and advertising	£4,081.71
Traffic Management (Westbound Lane 1 closure)	£10,000 (3 mts)
Traffic Management (during bridge removal & enabling)	£20,000
Unity Fees	£7,500
Safeguarding (signage & barriers)	£2,000
Principal Inspection of Church Hill Street Footbridge	£2,000
Feasibility Works (reviewing the need for replacement of Oldham Way Footbridge and Church Hill Street Footbridge)	£10,000
Total Sum	£149,581.71

Appendix A - Temporary diversion route



Appendix B - Budget estimates and breakdown for temp. raising of the deck

Jember Weekes

From: Spencer Goff <Spencer.Goff@ekspan.co.uk>
Sent: 21 April 2020 19:33
To: Jember Weekes
Cc: Sahoo, Ganapati; Gordon Anderson; Nigel Molden; Rezwan Khan; John Senior; Robert Lancaster
Subject: RE: Oldham Way Footbridge - temp. raising
Attachments: Highways England Key Worker Supply Chain Letter @ 25 03 2020.pdf; FW: M1 Tinsley DEMAG joint replacement scheme (EKSPAN); Royal Infirmary Footbridge.pptx; Royal Infirmary Footbridge.pdf; Oldham Footbridge TWD sketch.jpg

Good Afternoon Jember,

Thank you for the email and call yesterday.

I can confirm that Ekspan remain fully operational with our factory still in operation, albeit on split shifts to reduce the number of people working at anyone time but maintaining our production with the upmost consideration of the health and safety of our production operatives.

From a site aspect some of our sites have been closed, but as we work mainly for HE we have been given essential worker status as per the attached document and we have maintained a full site operative workforce to deliver the schemes we currently have. Full FFP3 masks have been issued to each operative to mitigate situations where the 2m distance rule cannot be maintained and have received commendations from Highways England about this, see attached email.

In relation to the bridge works, we undertook the design, bearing manufacture, bridge jacking, bearing replacement, hydrodem, concrete repair, waterproofing and joint replacement on the Royal Infirmary Footbridge, Glasgow for Transport for Scotland in 2019, see attached brief presentation showing the jacking operation, temporary works design, etc.

We are of course keen to assist you with this project and provided the design can be implemented correctly we can be on site to undertake these works once the design is complete. Subject to the design and the equipment required there will be a period of procurement for this to be considered. We are happy to assist with any programmes once the initial discussions develop towards a workable proposal.

In relation to the options.

1. To lift the structure 20mm from 5.01m to 5.03m throughout
 - We would propose the use of our 40tonne capacity 50mm stroke jacking cylinders to lift the bridge the required height of 20mm in one continuous lift
 - We would propose that a Mabey Jacking Tower system is used to jack the bridge span and use a restraint system similar to a 'rugby goal post' to guide the bridge vertically (prevent the structure topping during the operation)
 - The Mabey Towers would be installed at the South Pier only
 - The wrag bolts holding the span into the padstone will need to be cut prior to the jacking operation
 - A consideration of the foundation for the mabey tower will need to be made, can we use any existing pier foundations to work off? Or do we need to install a new strip foundation to place the tower on and jack from
 - The road could remain open during the lift as the span will be guided by the 'goal post frame' although we understand if concerns require the road to be closed and the works to jack are carried out at night

Proposal

- Installation of a foundation or exposure of existing foundation strip at pier (south)
- Install jacking tower
- Install scaffold access around the prop to provide platform at required height
- Install jacking equipment

1

- Expose and cut wrag bolts / burn off bolt heads from from the bridge span into the pier padstone (this cold require concrete breakout)
- Jack bridge 20mm
- Lock off jacks
- Underetake any necessary works to implement the pier as a higher structure or await future removal of the bridge span by crane

Programme – assuming a simple strip foundation is required at the pier (400mm deep no greater) 2 weeks (10 working days Monday to Friday)

Budget Cost - £25,000.00 not including any welfare, TM or craneage

We have assumed no works to any spans away from the road crossing spans. We have not assumed any removal of equipment, this is to be left in place, hire rates for scaffold, props and jacks will equate to around £1k per week (after 2 weeks)

2. To lift the structure 400mm from 5.01m to 5.41m throughout

Temporary works proposal;

- We would propose the use of our 40tonne capacity 450mm stroke jacking cylinders to lift the bridge the required height of 450mm in one continuous lift
- We would propose that a Mabey Jacking Tower system is used to jack the bridge span and use a restraint system similar to a 'rugby goal post' to guide the bridge vertically (prevent the structure topping during the operation)
- The Mabey Towers would be installed at the South Pier, Central Pier and North Pier to lift both spans of the bridge, unless instructed otherwise
- The wrag bolts holding the span into the padstone will need to be cut prior to the jacking operation
- A consideration of the foundation for the mabey tower will need to made, can we use any exsiting pier foundations to work off? Or do we need to install a new strip foundatoon to place the tower on and jack from
- The road could remain open during the lift as the span will be guided by the 'goal post frame' although we understand if concerns require the road to be closed and the works to jack are carried out at night

Proposal

- Installation of a foundation or exposure of exisitng foundation strip at each pier (south, central and north)
- Install jacking towers
- Install scaffold access's around the props to provide platform at required height
- Install jacking equipment
- Expose and cut wrag bolts / burn off bolt heads from the bridge span into the pier padstone (this cold require concrete breakout)
- Jack bridge (two spans) 400mm
- Lock off jacks
- Underetake any necessary works to implement the piers as a higher structure or await future removal of the bridge span by crane

Programme – assuming a simple strip foundation is required at each pier (400mm deep no greater) 3 weeks (10 working days Monday to Friday)

Budget Cost - £55,000.00 not including any welfare, TM or craneage

We have assumed no works to any spans away from the road crossing spans. We have not assumed any removal of equipment, this is to be left in place, hire rates for scaffold, props and jacks will equate to around £2k per week (after 2 weeks)

I have attached a quick stech (in jpeg format I don't have scanning facilities at home) of my jacking tower proposal, I am happy to discuss this in more detail tomorrow.

I hope this is satisfactory and understandable.

If you have any queries please do not hesitate to contact me.

Best regards

2

Spencer

Spencer Goff BSc (Hons)
Project Manager

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From: Jember Weekes <Jember.Weekes@unitypartnership.com>
Sent: 20 April 2020 13:08
To: Spencer Goff <Spencer.Goff@ekspan.co.uk>
Cc: Sahoo, Ganapati <Ganapati.Sahoo@wsp.com>; Gordon Anderson <Gordon.Anderson@unitypartnership.com>; Nigel Molden <Nigel.Molden@unitypartnership.com>; Rezwan Khan <Rezwan.Khan@unitypartnership.com>
Subject: Oldham Way Footbridge - temp. raising
Importance: High

Hi Spencer,

I have been passed your contact details by your sales department. In the past I have worked with Richard Orrell on other projects, but I believe he has since left Ekspan. I was wondering if you could provide some advice and a budgetary estimate for the jacking and temporary propping of a bridge deck. This is for a composite deck footbridge with low headroom that has been impacted several times over the past years. Since the most recent impact a few weeks ago we are planning for the full removal of the deck, however under the current climate it is recognised that this will be difficult to mobilise quite quickly. So, what I am currently exploring for safety whilst arrangements are made for full removal, is the possibility of jacking the deck and propping at a higher location.

The current headroom is approximately 5.01m and as you may be aware the headroom requirement for footbridges is 5.41m, leaving a shortfall of around 400mm. I have attached a location plan, drawings, photos and a headroom sketch showing a few measurements taken across the carriageway. You can also get an overview using street view at the following link <https://www.google.com/maps/@53.5403769,-2.1052183,3a,75y,76.5h,92.49t/data=!3m6!1e1!3m4!1s00h0lh64lks-k-aN5RDkTA!2e0!7i16384!8i8192>. You will see that the lowest point is over lane 1 of the westbound carriageway and is quite close to the point where the bridge has been impacted several times. I would like if you could consider for advice and estimating, 2 different options, the first being the slight raising of the deck from the south pier to achieve a minimum headroom of at least 5.03m throughout. The second option being the raising of the entire deck above the carriageway to achieve the 5.41m requirement.

For info, the bridge is temporarily closed to pedestrians, so there is no requirement for any localised ramping due to the difference in surface levels caused by any raising of the deck.

Unfortunately, the attached drawings are the most detailed drawings I can locate at present with measurements around the bearing locations but I'm hoping you can provisionally assess the available spaces for jacking and propping the deck using these and from the attached photos. It appears the beams span directly onto the piers and are held down to built-in padstones, with rag bolts. I am searching through our archives and might find better information, but it is taking a long time due to working remotely.

3

We have carried out a preliminary assessment of the deck in current condition considering a significant amount of effectivity loss of the bottom flange caused by impact. This assessment indicates the bridge does have capacity for dead, wind and reduced pedestrian loading. So, I am presuming at this stage that the careful lifting would not cause the beam to fail, though I appreciate we may need to revisit the assessment in more detail considering the effects of fatigue, any advice you could give on this will also be very much appreciated.

Also, please can you let me know Ekspans availability for undertaking the above works given the current climate.

I hope this is all relatively clear, however I am available to discuss this through over the phone if you would like more information.

Many thanks

Kind regards

Jember Weekes BSc (Hons) IEng MICE
Senior Engineer, Asset Management, Highways & Engineering



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Appendix C - Budget estimates and breakdown for removal and disposal of 2 spans

Jember Weekes

From: Spencer Goff <Spencer.Goff@ekspan.co.uk>
Sent: 30 April 2020 20:30
To: Jember Weekes
Cc: Sahoo, Ganapati; Gordon Anderson; Nigel Molden; Rezwan Khan; John Senior; Robert Lancaster
Subject: RE: Oldham Way Footbridge - temp. raising
Attachments: CKHI6480.JPG; IMG_2909.JPG; IMG_2912.JPG; IMG_2925.JPG; MOIQ1283.JPG

Hi Jember,

Thanks for the call earlier.

To clarify the request is to remove the two road spans of the footbridge only, leaving the piers and approach spans in position. There are two possible ways of doing this, first one is to continue with the jacking proposal as set out in my previous email, but to then lift the span out with a crane and dispose of the bridge spans away from site, then remove the temporary works.

The second cheaper, but potentially more risky option would be to undertake preparation works, burn off the heads of the holding down bolts from spans into the piers, lift out with a crane and dispose off site (without any temporary works)

We have assumed the bridge spans each way 18tonnes.

Please see below budget prices for the two options;

Option 1 – Install temporary works under the bridge span ends (4no locations), jack bridge, cut holding down bolts, remove spans and dispose off site, remove temporary works – leaving concrete piers in place

- Installation of a foundation or exposure of existing foundation strip at pier south, central and north piers
- Install jacking tower
- Install scaffold access around the prop to provide platform at required height
- Install jacking equipment
- Expose and cut wrag bolts / burn off bolt heads from from the bridge span into the pier padstone (this could require concrete breakout)
- Jack bridge 20mm
- Lock off jacks
- Close the road for a nightshift
- Locate 150 tonne crane on road and lift the bridge span off the concrete piers onto the back of an Ekspan wagon
- Dispose bridge span off site
- Remove temporary works
- Removal complete

Programme – assuming a simple strip foundation is required at the pier (400mm deep no greater) 3 weeks to prepare, 2 night shifts to remove the two spans, 1 week to remove temporary works

Budget Cost - £85k not including any welfare or Traffic Management costs

Option 2 – Install scaffold at pier locations, setup crane and sling bridge span, burn off holding down bolt heads, remove bridge spans and remove temporary works – leaving concrete piers in place

- Install scaffold access to pier locations at required height

1

- Carry out any necessary preparation works
- Setup crane and sling bridge span
- Burn off holding down bolts
- Lift bridge span onto
- Close the road for a nightshift
- Locate 150 tonne crane on road and lift the bridge span off the concrete piers onto the back of an Ekspan wagon
- Dispose bridge span off site
- Remove temporary works
- Removal complete

Programme – 1 week to prepare, 2 night shifts to remove the two spans, 4 days to demobilise

Budget Cost - £55k not including any welfare or Traffic Management costs

I have attached some photos of bridge lifts we have been involved in or undertook for reference of how these activities take place.

We are keen to work with you on this project, I hope the above and attached is satisfactory and of interest.

Best regards

Spencer

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Director

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TRO Panel

Decision Maker: Director of Environment, Nasir Dad

Date of Decision: 28 September 2023

Subject: Definitive Map and Statement Modification Order

S53 – Wildlife and Countryside Act 1981. Claim to register a Public Footpath at Brookdale Golf Club, Failsworth

Report Author: Liam Kennedy PRow Officer

Ward: Failsworth East

Reason for the decision: To determine an Application submitted under Schedule 14 of the Wildlife and Countryside Act 1981 (the 1981 Act), requesting that a Modification Order be made in respect of a route running across land at Brookdale Golf Club, Failsworth (the application route), which is shown on the attached location plan 764/A4/239/1.

Summary: The Council has a duty to investigate and determine applications for Modification Orders submitted under the 1981 Act.

The Application has been received in respect of the application route which is 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 is supported by User Evidence Forms, completed by 17 individuals who claim to have used the application route for periods ranging between 5 and 79 years until the bridge closure in 2018 without challenge, although some

user evidence forms claim continued use until 2021.

The application route is not recorded on the Definitive Map and Statement for the area.

The evidence in support of and against the Application must be considered and the Application determined in line with legal requirements as described in the report.

Background

The application was submitted by John Walton of The Ramblers Association on 21 July 2021. The application is supported by 17 user evidence forms and maps.

The evidence in support of the application consists of user evidence which needs to be considered against the statutory provisions in section 31 of the Highways Act 1980 (“the 1980 Act”) concerning dedication of a highway through 20 years’ usage.

Under section 31 of the 1980 Act, a way is deemed to have been dedicated as a highway after 20 years use by the public unless there is sufficient evidence that there was no intention during that period to dedicate it. In order to establish a presumed dedication under this section, each element in the wording of section 31(1) and (2) needs to be proved on the balance of probabilities.

“(1) Where a way over any land, other than a way of such a character that use if it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.

(2) The period of 20 years referred to in subsection (1) above is to be calculated retrospectively from the date when the right of the public to use the way is brought into question, whether by a notice such as is mentioned in subsection (3) below or otherwise”.

(3) Where the owner of the land over which any such was as aforesaid passes:-

(a) has erected in such a manner as to be visible by persons using the way a notice inconsistent with the dedication of the way as a highway; and

(b) has maintained the notice after the 1st January 1934, or any later date on which it was erected,

the notice, in the absence of proof of a contrary intention, is sufficient evidence to negative the intention to dedicate the way as a highway.”

To make a Modification Order to add the Claimed Footpath to the Definitive Map the Council needs to decide whether an event under section 53 of the 1981 Act has occurred. If so, a Modification Order should be made. The “events” which are relevant to this application are those in s53(3)(b) and s53(3)(c)(i) of the 1981 Act. These provisions can overlap. “The discovery of evidence which shows that a right subsists or is reasonably alleged to subsist” under s53(3)(c)(i) can include the discovery that the period of user required to raise a presumption of dedication has expired. Thus, where an application is made for the addition of a path on the grounds of user for a requisite period, the application can be for an Order either under s53(3)(b) and/or under s53(3)(c)(i). An important difference between s53(3)(b) and s53(3)(c)(i) should be noted. The former does not contain words “reasonably alleged”. Unless the period has without doubt expired, the subsection does not apply. Under the latter, it is sufficient if it is no more than reasonably alleged that the way exists as a public right of way.

Proposal

The claimed route is shown on the attached plan (764/A4/239/1).

The route branches west from existing Footpath 50 Failsworth after crossing Ash Bridge at Point A (GR SD90986 00078) for approximately 44m to Point B (GR SD90959 00047) and skirts the green in a south easterly direction for a distance of approximately 97m to Point C (GR SJ91027 99994) continuing east for approximately 32m to Point D (GR SJ91058 99999). Points C & D are the locations of BR500 Andrew’s Footbridges A &

B which are not currently OMBC assets. From Point D the route proceeds southeast for a distance of approximately 44m to Point E (GR SJ91094 99981) continuing southeast for a distance of approximately 18m to Point F (GR SJ91107 99969). At Points E & F are located flights of steps approximately 26 risers in total. From Point F the route re-joins the existing alignment of Footpath 50 Failsworth approximately 5m on at Point G (GR SJ91111 99967).

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

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.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted

Ward Councillors have been consulted and Councillor L Rea - Having looked through the report and the map detailing the proposed additional public footpath, I am happy that should the result be the proposal is passed, that this would be a suitable decision for all involved. The golf course is being avoided and any walkers will have a clear route.

Recommendation:

It is recommended 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 be approved.
- 2.. The Applicant be notified of the Council's decision and of his right of appeal under Schedule 14 of the 1981 Act.

The preferred option is Option 1 as the claim meets the required legal test of 20 years use of the whole of the claimed route 'as of right'.

Implications:

What are the financial implications?

The cost of introducing the order is shown below:

	£
Advertisement of Order	1,400

The advertising expenditure of £1,400 will be funded from the 2023/24 Highways TRO budget. (John Edisbury)

What are the **legal** implications?

Under section 53 of the 1981 Act, the Council is required to make a Modification Order amending the definitive map and statement where it appears requisite in consequence of the discovery by the Council of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the definitive map and statement subsists or is reasonably alleged to subsist over land in the area to which the definitive map relates, being a right of way such that the land over which the right subsists is a public path (ie a footpath or bridleway) or a restricted byway.

The burden of proof on establishing that the application route is a footpath lies with the claimant. The evidence submitted by the claimant is sufficient evidence of 20 years usage of the claimed route by the public. (A Evans)

What are the **procurement** implications?

None

What are the **Human Resources** implications?

None

Equality and Diversity Impact Assessment attached or not required because (please give reason)

Not applicable

What are the **property** implications

None

Risks:

None

Co-operative agenda

It is recommended to modify the land at Brookdale Golf Club and introduce a new footpath in the area. The proposal aligns with the Council Co-operative agenda as this will be a response to the application submitted under S14 of the Wildlife and Countryside Act 1981 which has received support from 17 other individuals. This will represent the Service as working in the best interest of residents who use the area and a new footpath will keep residents safe and healthy (Mahmuda Khanom, Policy Support Officer)

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

Analysis of Claim

The evidence submitted in support of the Application consists of User Evidence Forms completed by various individuals. In total 17 completed Right of Way Evidence Forms have been received in support of the Application.

It can be seen from the summary of User Evidence at Table A below that: -

A number of people claim to have used the application route; all are local people.

None of the persons who completed a User Evidence form have indicated that they ever sought or were granted permission to use the application route. No User Evidence forms indicate users having being stopped or turned back from using the claimed route.

The periods of use range from 5 to 79 years, with the earliest use being 1939. For those persons who have used the application route, the frequency of their use is moderate.

The Council has to decide what it considers are the correct facts, and on the basis of those facts, whether an event under section 53(3)(c)(i) has occurred.

Use of the way is not in itself enough – it is the nature of such use that has to be established. All the provisions of section 31 of the 1980 Act, together with the common law rules need to be carefully considered.

a) “use by the public”
Whilst the user evidence submitted comes mainly from residents who live in the area that does not mean that the use cannot be regarded as “use by the public”

In the case of R v Inhabitants of Southampton 1887 it was held that use by the public “must not be taken in its widest senses; it cannot mean that it is a use by all the subjects of the Queen, for it is common knowledge that in many cases it is only the residents in the neighbourhood who ever use a particular road”

Use by those persons who completed User Evidence forms should be regarded as “use by the public”.

(b) “use as of right”

None of those persons who completed User Evidence Forms have indicated being challenged themselves. The use of the route by those who completed User Evidence Forms appears to have been open and without force or permission and can therefore be considered to be use as of right.

(c) “period of 20 years to be calculated retrospectively from the date when the right of the public to use the way is brought in question, whether by a notice such as is mentioned in subsection (3) below or otherwise”

It is considered that the date when the public’s right was first called into question was when Ash footbridge was closed in 2018, severing the route’s connection to the northern part of Footpath 50 Failsworth. The period of consideration (for the purposes of presumed dedication under section 31 of the 1980 Act) has, therefore, been taken from 1998 to 2018.

The use described in the User Evidence Forms extends throughout that period.

(d) “without interruption”

An interruption has been defined as the actual and physical stopping of the use of a way by the landowner or their Agent. Moreover, such interruption must be with the intention to prevent public use. It is not sufficient if the interruption is for some other purpose.

(e) “unless there is sufficient evidence that there was no intention during that period to dedicate it”

There have in recent years been numerous legal rulings on what constitutes “sufficient evidence” that there was no intention to dedicate a highway. The leading case is Godmanchester, which was considered by the House of Lords in 2007. In that case the House of Lords ruled that the words “unless there is sufficient evidence that there was

no intention during that period to dedicate” in s31(1) of the 1980 Act requires landowners to have communicated to users their lack of intention to dedicate and that must have been communicated at some point(s) during the 20 year period of use by the public.

There has been no evidence provided of any intention of the landowner not to dedicate the route as a footpath.

Table A

Summary of User Evidence

User	Usage From-To	Years	Frequency p/a	Purpose	Permission
1	1978-2018	40	1	Recreation	No
2	1989-2018	29	Once every 4 yrs	Recreation	No
3	1998-2018	20	1	Recreation	No
4	1998-2018	20	Regularly	Recreation	No
5	1998-2018	20	2	Recreation	No
6	1993-2018	25	10	Recreation	No
7	1939-2018	79	200	Recreation	No
8	1943-2021	78	30-40	Recreation	No
9	1970-2018	48	6	Recreation	No1
10	1998-2018	20	2	Recreation	No
11	1990-2018	28	1-2	Recreation	No
12	1993-2018	25	5-20	Recreation	No
13	2015-2021	6	12	Recreation	No
14	1998-2018	20	6	Recreation	No
15	2012-2021	9	24	Recreation	No
16	2013-2018	5	2-3	Recreation	No
17	2014-2021	7	12	Recreation	No

Schedule 1 – Modification of Definitive Statement

See table below.

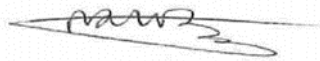
District and path number	Page Number	Status	Length (m)	Description	Comments
FAILSWORTH 50A	10&15	F.P	240	The route branches west off existing Footpath 50 Failsworth after crossing	2 footbridges 5 flights steps approx. 26 risers

				<p>Ash Bridge at (GR SD90986 00078) for approx. 44m to (GR SD90959 00047) and skirts the green in a south easterly direction for a distance of approx. 97m crossing footbridge at (GR SJ91027 99994) continuing east for approx. 32m to cross another footbridge at (GR SJ91058 99999). The route proceeds southeast for a distance of approx. 44m to steps at (GR SJ91094 99981) continuing southeast for a distance of approx. 23m to re-join Footpath 50 at (GR SJ91111 99967)</p>	
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There are no background papers for this report

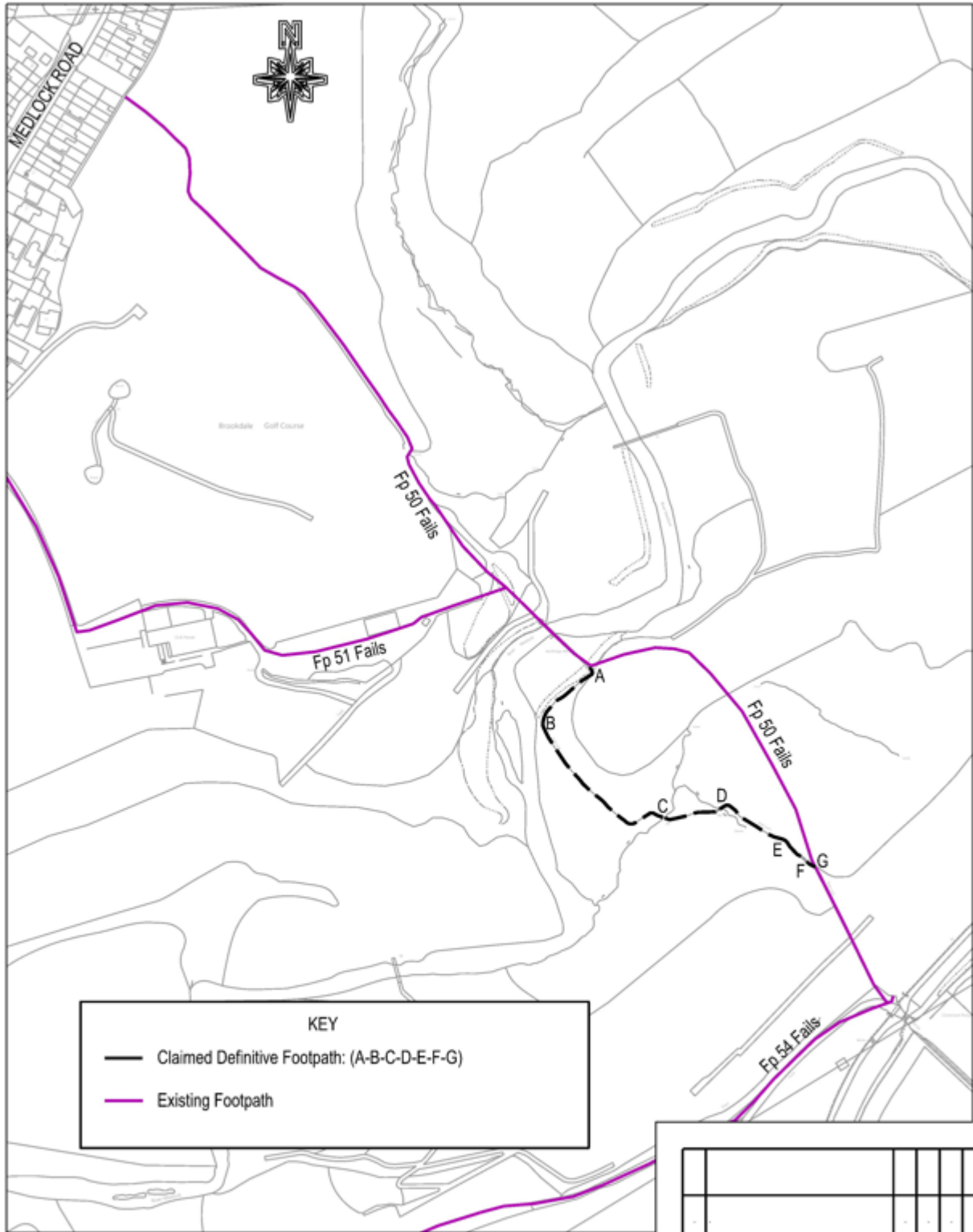
Report Author Sign-off:	
Liam Kennedy	
Date: 11 September 2023	

In consultation with Director of Environment



Signed :

Date: 15.09.2023



KEY	
	Claimed Definitive Footpath: (A-B-C-D-E-F-G)
	Existing Footpath

Rev	Revision details	By	Chk	App	Date



Oldham Council

**Place and Economic Growth
HIGHWAYS & ENGINEERING**
Henshaw House, Cheapside, Oldham OL1 1NY

Client Oldham MBC		
Project Brookdale Golf Club, Failsworth		
Drawn by RW	Date 03/23	Purpose of issue information
Checked by LK	Date 03/23	Scale at A4 size 1:3000
Approved by	Date	

Title Wildlife and Countryside Act 1981 S53 Claim to Register a Public Footpath	
Drawing No. 764/A4/239/1	Rev. .

C:\PROW\PROW diversion\tp 50 51 Fails\Brookdale Golf Course 2023\tp 50 Failsworth.dgn

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