

TRAFFIC REGULATION ORDER PANEL
11/01/2024 at 5.30 pm



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

Also in Attendance:

Alan Evans	Group Solicitor
Andy Cowell	Highways and Engineering
Liam Kennedy	Highways & Engineering
Andrew Mather	Constitutional Services
Alister Storey	Highways & Engineering

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Murphy.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

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 23rd November 2023 be approved as a correct record.

6 **S257 TOWN AND COUNTRY PLANNING ACT 1990 -
DIVERSION OF DEFINITIVE FOOTPATH 61 OLDHAM
(PART), AT HOLLINWOOD JUNCTION, ALBERT STREET,
FAILSWORTH, AND S53A - WILDLIFE AND
COUNTRYSIDE ACT 1981**

Consideration was given to a report which sought approval to the making of a Public Path Diversion and Definitive Map and Statement Modification Order for Footpath 61 Oldham to facilitate the proposed employment development of 5 units at Hollinwood Junction, Albert Street, Failsworth.

The existing route of the footpath runs through undeveloped land between Claydon Way and Roman Road. The existing alignment of the footpath would be directly affected by the development being constructed by the applicants. The diversion of the footpath as proposed by the applicant would require highway signage from the metallised road and way markers along the route which would be paid for by the applicant. Consultation has been undertaken with relevant parties and there were no objections to the proposal.

Options considered:

Option 1 – To approve the recommendation.

Option 2 – Not to approve the recommendation.

RESOLVED that the application be approved as recommended and the Council make a Public Path Diversion & Definitive Map and Statement Modification Order for the diversion of Footpath 61 Oldham under Section 257 of the Town and Country Planning Act 1990 and Section 53A of the Wildlife and Countryside Act 1981 as detailed in the report and the Director of Environment and the Director of Legal Services 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.

7

S119 HIGHWAYS ACT 1980 - DIVERSION OF DEFINITIVE FOOTPATH 44 CROMPTON (PART), AT SHORE EDGE, BUCKSTONES ROAD, SHAW, AND S53A - WILDLIFE AND COUNTRYSIDE ACT 1981

Consideration was given to an application made by the resident of Runge Farm, Buckstones Road, Shaw for the diversion of Footpath 44 Crompton (part) which passes through the gardens of Runge Farm, Shore Edge Farm and Hill Cottage. The proposed diversion crosses parcels of land for which there are no registrations according to Land Registry searches – therefore, posting of site notices would be necessary to inform relevant parties of the intention to divert.

The report set out Government Guidance to be followed in cases where a public right of way passes through a garden or curtilage of a residential dwelling, the Order-making and Confirming Authority are guided to weigh the interests of the owner and/or occupier 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 owner and/or occupier, in terms of privacy, security and safety, are important considerations to which due weight should be given. 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.

The report set out the description and location of the existing and proposed diverted route of Footpath 44. Users of the diverted route would not be deterred from using the route, which could occur if using the existing alignment. The required highway signage, from the metallised road and the way markers along the route would be paid for by the Applicant. Consultation has been undertaken with relevant parties and there were no objections to the proposal.

Options considered:

Option 1 - To approve the recommendation

Option 2 - Not to approve the recommendation

RESOLVED that the application be approved as recommended and the Council make a Public Path Diversion & Definitive Map and Statement Modification Order for the diversion of Footpath 44 Crompton (part) under Section 119 of the Highways Act 1980 and Section 53A of the Wildlife and Countryside Act 1981 as

detailed in the report and the Director of Environment and the Director of Legal Services 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.

8

HUDDERSFIELD ROAD/DELPH ROAD, DENSHAW – TRAFFIC CALMING AND 20MPH SPEED LIMIT AND RANGE ROAD ONE WAY WORKING

The Panel considered a report setting out responses received following the publication of the legal Traffic Regulation Orders (TROs) and Humps Notices which was approved under delegated powers on 13 April 2023. Letter drops detailing the proposals were carried out to all affected properties in the area. The legal advert notice was also placed at strategic locations on site. 16 replies to the advert/letter drop were received and summarised in the report together with officers comments.

The proposed scheme for Delph Road, Huddersfield Road and Range Lane in Denshaw would introduce a 20mph speed limit on both Delph Road and Huddersfield Road. The limits would be self-enforcing by means of traffic calming measures. It was also proposed to make Range Lane one way, West to East. Ward Members have had a LIF bid approved for the works on Huddersfield Road, The Delph Road and Range Lane proposals would be funded from the Highways Minor Works budget. A pre-consultation was carried out on the proposed schemes prior to the formal TRO being advertised. There was broad support for the proposals. However, there was some concerns raised about the one way working on Range Lane.

Options considered:

Option 1- Introduce the proposed scheme as advertised

Option 2 - Introduce an amended scheme with Range Lane one way working being introduced on an 18 month experimental basis

Option 3 - Introduce the scheme with Range Lane proposals omitted.

Option 4: Do not introduce the proposed scheme.

RESOLVED

1. Option 2 be progressed and the proposed changes to speed limits be made and traffic calming measures introduced on Delph Road and Huddersfield Road with traffic calming measures introduced as shown on the plans and schedules contained in the report.

2. That the Range Lane one way working proposal detailed in schedule 6 of the report be introduced on an experimental basis for 18 months.

NOTE:

Councillor Lancaster attended the meeting and addressed the Panel on this application.

9

OBJECTIONS TO PROPOSED PROHIBITION OF WAITING

– BULLCOTE GREEN, ROYTON

The Panel considered objections which had been received to a decision on the introduction of No Waiting At Any Time restrictions at Bullcote Green, Royton which was approved under delegated powers on 24 April 2023. The proposal was subsequently advertised, and three objections and one supporting letter were received which were summarised in the report together with officers comments. The principal objections were that the proposal would prevent residents and visitors from parking directly outside their properties, that the value of homes would be adversely affected and that congestion from parking had been overstated. Officers had considered the representations and believed that the proposed restrictions were fully justified.

An objector in addressing the meeting questioned whether the incident in which a Fire Service vehicle had been obstructed by parked vehicles was an emergency response. Officers confirmed that the Fire Service had not provided details of the incident but supported the proposals.

It was suggested that if the principal cause of obstruction resulted from cars parking for cricket matches, that parking restrictions could be limited to weekends between March and October.

Options considered:

Option 1 - Introduce the proposed restrictions as advertised.

Option 2 - Do not introduce the proposed restrictions.

RESOLVED that consideration be deferred to a future meeting and that officers seek further information from the Fire Service on the incident involving an emergency vehicle and that the possibility of limiting restrictions to periods when cricket matches take place also be examined.

NOTE:

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

10

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

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. These were reported to the TRO Panel on 28 September 2023, where it was resolved that consideration will be deferred to the next meeting. The Panel had asked Officers to meet with an objector who attended the meeting, with a view to further relaxing the length of the proposed restrictions to the north-east side of the business park entrance. This site meeting, to which Ward Members were also invited and which Councillor Byrne

attended, had now taken place. A further relaxation was proposed by the objector which provides an additional gap of 34 metres in the length of the proposed restrictions. However, officers did not support this proposal due to its proximity to the bend in the highway.

The Panel was asked to consider an updated report which was unchanged from that submitted to the TRO Panel meeting on 28 September, except the addition of a further option for consideration and the plans associated with that option in Appendix E / F of the report.

Options considered:

- Option 1- Introduce the proposed restrictions as advertised
- Option 2 - Relax the proposed restrictions and introduce the amended proposal as shown in Appendix C
- Option 3 - Relax the proposed restrictions and introduce the amended proposal as shown in Appendix E / F
- Option 4 - Do not introduce the proposed restrictions

RESOLVED – That the proposed restrictions be introduced with a reduced length of 34 metres as per the amended proposal shown in Appendix E?F of the report.

NOTE:

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

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

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. These were reported to the TRO Panel on 28 September 2023, where it was resolved that consideration would be deferred to the next meeting. The Panel asked Officers to meet with the objectors who attended the meeting, with a view to further relaxing the length of the proposed restrictions on Primrose Bank. This site meeting has now taken place. A relaxation has been proposed which retains some on street parking space on Primrose Bank, whilst also restricting parking at junctions and on one side of the road to maintain visibility and ease traffic movements respectively. The plan was attached as Appendix C. The remainder of the report below was unchanged from that submitted to the TRO Panel meeting on 28 September, except the addition of the revised plan in Appendix C.

Options considered:

- Option 1-- Introduce the proposed restrictions as advertised
- Option 2 - Relax the proposed restrictions and introduce an agreed amendment
- Option 3. Do not introduce the proposed restrictions

RESOLVED that the amended proposals contained in Appendix C of the report be approved, retaining some on street parking space on Primrose Bank, whilst also restricting parking at junctions and on one side of the road to maintain visibility and ease traffic movements.

12

**OBJECTIONS TO PROPOSED PROHIBITION OF WAITING
– PADDOCK LANE, LORD LANE AND WYNDALE DRIVE,
FAILSWORTH**

The Panel considered a report detailing representations and objections received to the introduction of No Waiting At Any Time restrictions at Paddock Lane, Lord Lane and Wyndale Drive, Failsworth, which was approved under delegated powers on 24 April 2023. The proposal was subsequently advertised and seventy-two objections and one supporting letter were received.

In total, 72 objections were received from people and businesses with connections to the Church of The Holy Family, located at the junction of Lord Lane and Paddock Lane. In summary, the objectors stated that the proposed restrictions would adversely affect all services held at the church as well as the events and clubs that operate from the community centre in the same building.

Concerns were raised about the affect the proposal would have on the availability of on-street parking outside the church, especially when funerals and weddings are held. A reduction in on-street parking spaces would also affect various clubs and organisations such as Karate, yoga, baby sensory, line dancing, brownies/guides, before & after school clubs, exercise classes and the local Womens Institute. Concerns were raised about parking for disabled people, picking up and dropping off visitors and the loading and unloading of vehicles. The venue is also used as a polling station during elections and concerns were also raised about access for voters. Objectors state that the church and community Centre are important for the local community, and it was felt that people would stop coming if the proposal goes ahead.

In response to the objections it was reported that the traffic order would include an exemption for funeral and wedding vehicles. Blue badge holders could also park on the restrictions for up to 3 hours and any person can load / unload or pick up or drop off passengers at any time. Therefore, it was the view of Officers that the proposed waiting restrictions should help keep the area clear for funeral and wedding vehicles and any disabled visitors to the church and community centre.

There are a number of dropped kerbs around the junctions, one of which is directly at the church entrance. As it is illegal to park alongside dropped kerbs and these restrictions would help reinforce this rule and keep the area clear for access to the church. The length of the restrictions had been kept to a minimum. The restrictions only cover the junctions and dropped

kerbs, which is the area of complaint. Primarily, the restrictions proposed are minimum lengths in line with the Highway Code. Officers had considered the representations and believe that the proposed restrictions were fully justified.

Options considered:

Option 1 - Introduce the proposed restrictions as advertised

Option 2 - Do not introduce the proposed restrictions

RESOLVED that the proposed restrictions are not introduced.

NOTE:

Councillor P Davis attended the meeting and addressed the Panel on this application.

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**OBJECTIONS TO PROPOSED PROHIBITION OF WAITING
– RHODES HILL AND MALTBY COURT, LEES**

The Panel considered objections received to the introduction of No Waiting At Any Time restrictions at Rhodes Hill and Maltby Court, Lees which was previously approved under delegated powers on 26 April 2023. The proposal was subsequently advertised. Two objections were received from residents living in the terraced properties at the lower end of Rhodes Hill, opposite Maltby Court. In summary, the objectors stated that the proposed restrictions would prevent them from parking on the paved area opposite their properties. There is a limited amount of parking directly outside the terraced properties on Rhodes Hill and damage has occurred to vehicles in the past. The objectors also raise the issue of speeding vehicles and request that traffic calming measures be introduced.

Officers had considered the objections but believed that the restrictions are fully justified. The area in question, opposite these properties and immediately to the south-east of Maltby Court, forms part of the footway and parking on this area is, therefore, illegal with or without parking restrictions. It should also be kept clear to provide adequate visibility for motorists exiting Maltby Court and for pedestrians to use without obstruction. It was noted that there are currently no plans to introduce traffic calming measures on Rhodes Hill, as there is a limited amount of funding for such measures. Funding is targeted towards areas with an injury accident record and Rhodes Hill is below intervention level.

Options Considered:

Option 1 - Introduce the proposed restrictions as advertised

Option 2. Do not introduce the proposed restrictions

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

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**OBJECTIONS TO PROPOSED PROHIBITION OF WAITING
AND DISABLED PERSONS PARKING PLACE - WOODEND**

STREET AND SPRINGLEES COURT, LEES

The Panel considered a report on the representations received to the introduction of No Waiting At Any Time restrictions and a disabled persons parking place at Woodend Street and Springlees Court, Lees which was approved under delegated powers on 10 July 2023. The proposal was subsequently advertised and two objections and three supporting letters were received.

One objection was received from a resident of Woodend Street and one from a solicitor acting on behalf of a local business on Woodend Street. Two further objections were also received from residents of Springlees Court and a third one from a person acting on behalf of a relative living at Springlees Court. However, once the justification for the scheme was sent to them, none objected formally. None of the objections related to the disabled persons parking place. The report contained a summary of the objector's comments and the Council's response.

Three supporting letters were received from residents of Springlees Court and Dunsford Court. In summary, the supporters believe that the restrictions are essential to prevent vehicles blocking footways, parking dangerously at junctions and obstructing vehicular access into Springlees Court and Dunsford Court.

Officers had considered the representations received and believed that the proposed restrictions are fully justified.

Options considered:

Option 1 - Introduce the proposed restrictions as advertised

Option 2 - Do not introduce the proposed restrictions

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

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OBJECTION TO PROPOSED NO STOPPING ON ENTRANCE MARKINGS – THE LOWS, OLDHAM

The Panel considered an objection which had been received to a decision on the introduction of a No Stopping on Entrance Markings restriction at The Lows, Oldham which was approved under delegated powers on 10 July 2023. One objection was received from a resident of The Lows that the proposed restrictions would displace parking to the opposite side of the road outside the residents properties, therefore making it more difficult for residents to park and potentially causing issues with parents using the nearby school blocking their driveways. The resident had been invited to apply for an Access Protection Marking which would deter obstructive parking across their driveway. The restrictions would only operational during the daytime and working week, which would lessen any impact on residents.

Options considered:
Option 1 - Introduce the proposed restrictions as advertised.
Option 2 - Do not introduce the proposed restrictions.

RESOLVED that the objection be dismissed, and the proposal introduced as advertised in accordance with the schedule and plan in the original report.

The meeting started at 5.30 pm and ended at 6.35 pm

