

***HIGHWAY REGULATION COMMITTEE
Regulatory Committee
Agenda***

- Date Wednesday 5 February 2025
- Time 5.30 pm
- Venue Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL
- Notes 1. DECLARATIONS OF INTEREST- If a Member requires 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 Alex Bougatef or Constitutional Services at least 24 hours in advance of the meeting.
2. CONTACT OFFICER for this agenda is Constitutional Services email Constitutional.Services@oldham.gov.uk
3. PUBLIC QUESTIONS - Any Member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the contact officer by 12 noon on Friday, 31 January 2025.
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 HIGHWAY REGULATION COMMITTEE
Councillors Chowhan, Davis (Vice-Chair), Murphy, Shuttleworth (Chair) and Woodvine

- 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 3 - 8)
The Minutes of the meeting held on 26th September 2024 are attached for approval.
- 6 Objections to Prohibition of Waiting – Buckstones Road, Shaw (Pages 9 - 24)
To consider objections received to proposed prohibitive waiting restrictions at Buckstones Road, Woodhouse Road and Dingle Avenue, Oldham.
- 7 Definitive Map and Statement Modification Order Diversion of Definitive Footpath 45 Oldham, at Rosary Road, Oldham, S53 Wildlife and Countryside Act 1981 (Pages 25 - 36)
Subsequent to the confirmation of the Public Path Diversion Order 2013 for the diversion of Footpath 45, Oldham it is necessary for Oldham Council as Highway Authority to amend the Definitive Map and Statement for the aforementioned Footpath to reflect the diversion
- 8 Definitive Map and Statement Modification Order Diversion of Definitive Footpath 180 Oldham, at London Road, Derker, S53 Wildlife and Countryside Act 1981 (Pages 37 - 48)
Subsequent to the confirmation of the Public Path Diversion Order 2013 for the diversion of Footpath 180, Oldham it is necessary for Oldham Council as Highway Authority to amend the Definitive Map and Statement for the aforementioned Footpath to reflect the diversion.
- 9 Footpath 26 Oldham
Report to follow.



Present: Councillor Shuttleworth (Chair)
Councillors Chowhan, Davis (Vice-Chair), Kenyon (Substitute)
and Woodvine

Also in Attendance:

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

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Murphy
(Councillor Kenyon substituting)

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 18th July
2024 be approved as a correct record.

6 **OBJECTIONS TO PROPOSED PROHIBITION OF WAITING
– UNDER LANE AND OLD KILN LANE, GROTTON**

The Committee considered a report regarding the objections
received to the proposed waiting restrictions at Under Lane and
Old Kiln Lane, Grotton. A report recommending the introduction
of prohibition of waiting restrictions on Under Lane and Old Kiln
Lane, Grotton, was approved under delegated powers on 22
December 2023. The proposal was subsequently advertised,
and 20 objections and 12 supporting letters were received and
attached as Appendix B and C to the report. The report
summarised the main points made together with the Council's
comments.

Ward councillors had been consulted and no objections
received. One ward councillor had expressed support for the
proposed Order.

Options Considered:

Option 1. Introduce the proposed restrictions as advertised.

Option 2. Relax the proposal to maintain some on-street parking
options for residents.

Option 3. To not introduce the proposed restrictions.

The recommended option was Option 1 – to introduce the restrictions as advertised, as this option best addressed the safety concerns raised about visibility and road safety at the junctions.

RESOLVED:

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

NOTE: An objector, a supporter, and a Ward Councillor addressed the Panel on the application.

7

OBJECTIONS TO PROPOSED PROHIBITION OF WAITING – SANDY LANE, DOBCROSS

The Committee considered a report regarding objections received to proposed waiting restrictions at Sandy Lane, Dobcross. A report recommending the introduction of prohibition of waiting restrictions on Sandy Lane, Dobcross, was approved under delegated powers on 22 December 2023. The proposal was subsequently advertised, and thirteen objections were received along with one supporting letter.

Highway Regulation Committee on 18 July 2024 considered the objections and resolved that consideration be deferred to this meeting and asked officers to meet with Ward Members with a view to relaxing the length of the proposed restrictions. A site meeting had now taken place and a revised proposal plan had been drafted which was supported by Ward Members. The amended proposal maintained the majority of on-street spaces whilst also protecting the two main pinch points where the main obstruction takes place over narrow sections of carriageway. The amended plan was attached at Appendix 2 to the report.

Options considered:

Option 1: Introduce the proposed restrictions as advertised

Option 2. Relax the proposal

Option 3. Do not introduce the proposed restrictions

RESOLVED:

That the objections be dismissed and the relaxed proposal be introduced as shown on the amended plan at Appendix 2 to the report namely on the north-west side of Sandly Lane outside number 20, opposite number 5 and to the south west of the old church entrance, a total reduction of 56 metres

NOTE: An objector addressed the Panel on the application.

8

OBJECTIONS TO PROPOSED TRAFFIC CALMING – PRETORIA ROAD, HOLLINWOOD

The Highways Regulation Committee considered a report on an objection received to the proposed introduction of traffic calming measures on Pretoria Road, Hollinwood. A report recommending the introduction of traffic calming measures on

Pretoria Road, Hollinwood, was approved under delegated powers on 12 March 2024. The proposal was subsequently advertised, and one objection was received. A copy of the approved report was attached at Appendix A and a copy of the objection was attached at Appendix B. In summary, the objector stated that he will be unable to park his vehicles outside his property if the speed cushions were installed at the proposed location.

Officers did not accept this objection as there were no proposals to introduce a parking restriction as part of this traffic calming scheme. The objector may park on the speed cushion if required.

Options considered:

Option 1- Install traffic calming as advertised.

Option 2.- Do nothing.

RESOLVED

That the proposal be introduced as advertised.

9

OBJECTION TO PROPOSED PROHIBITION OF WAITING – HAMPTON ROAD, FAILSWORTH

The Highways Committee considered a report on an objection received to the proposed extension of the existing Prohibition of Waiting restrictions on Hampton Road, Failsworth. A report recommending the extension of existing Prohibition of Waiting restriction on Hampton Road, Failsworth, was approved under delegated powers on 5 February 2024. The proposal was subsequently advertised, and one objection was received.

A copy of the approved report was attached in Appendix A and a copy of the objection was attached in Appendix B. In summary, the objector stated that the proposed extension of waiting restrictions would displace parking further north on Hampton Road.. The objector was concerned that a reduction of parking space was likely to cause more parking related issues for local residents.

Options Considered:

Option 1: Install Prohibition of Waiting restriction as advertised i.e. extend the existing restrictions both sides of Hampton Road. This proposal would meet the Highway Code requirement.

Option 2: Install a reduced Prohibition of Waiting restriction (extend restrictions by 4 meters on western side of Hampton Road). This proposal was aimed at improving safety issues identified with reduced displacement of parking spaces compared to Option 1.

Option 3: Do nothing

A revised schedule and plan to support the Option 2 recommendation was provided within Appendix C to the report.

It was reported that whilst Officers believed the original recommendation provided more benefits with regards to safety, Option 2 leads to an improvement and provides a balance which acknowledges the concern of the objector.

RESOLVED

That Option 2 be approved and the revised schedule and plan shown in Appendix C to the report be implemented..

NOTE: An objector addressed the Panel on the application.

10

DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER. S53 – WILDLIFE AND COUNTRYSIDE ACT 1981 CLAIM TO REGISTER PUBLIC FOOTPATHS AT ARNCLIFFE RISE, MOORSIDE.

Highways Regulation Committee was asked 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 routes running across land at the middle of Arncliffe Rise, Moorside (the Application Routes), which were shown on the plan, 764/A4/248/1, attached to the report.

It was reported that the application met the required legal test of 20 years use of the whole of the Application Routes 'as of right'.

Options considered:

Option 1: To approve the application and add the Application Routes to the Definitive Map and Statement as footpaths.

Option 2: Not to approve the application

RESOLVED:

1.The application for a Modification Order in respect of the routes at Arncliffe Rise, Moorside to be recorded in the Definitive Map and Statement as footpaths as detailed in Schedule 1 be approved and the Director of Environment 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.

2.. The Applicant and the owner/occupier of the land subject to the application be notified of the Council's decision as required by Schedule 14 of the 1981 Act.

11

DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER S257 TOWN AND COUNTRY PLANNING ACT 1990 AND S53A WILDLIFE AND COUNTRYSIDE ACT 1981. DIVERSION OF DEFINITIVE FOOTPATH 28 CHADDERTON (PART) AT LAND OFF WESTHULME WAY, COLDHURST.

The Highways Regulation Committee considered a report that the Council has received an application from Lancet Homes, Sale, via their agent, Mode Transport Planning, Manchester, to divert part of Definitive Footpath 28 Chadderton to facilitate the proposed residential development of 10 dwellings on land off

Westhulme Way, Coldhurst. The diversion was considered necessary in order to implement the planning permission.

Ward councillors and footpath societies had been consulted and no objections had been received.

Options considered:

Option 1: To approve the recommendation.

Option 2: Not to approve the recommendation.

RESOLVED

That the application be approved and the Council make a Public Path Diversion & Definitive Map and Statement Modification Order for the diversion of Footpath 28 Chadderton under Section 257 of the Town and Country Planning Act 1990, and Section 53A of the Wildlife and Countryside Act 1981, as detailed in the report and the Director of Environment and the Director of Legal 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.

12

DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER S257 TOWN AND COUNTRY PLANNING ACT 1990, AND S53A WILDLIFE AND COUNTRYSIDE ACT 1981 – DIVERSION OF DEFINITIVE FOOTPATH 20 FAILSWORTH, AT HOLLINWOOD JUNCTION, ALBERT STREET, FAILSWORTH

It was reported that the Council has received an application from Langtree Property Partners, Warrington, via their agent, Spawforths, Wakefield, to divert Footpath 20 Failsworth under S257 Town and Country Planning Act 1990, to facilitate the proposed development of a food retail unit at Hollinwood Junction, Albert Street, Failsworth. The diversion was considered necessary in order to implement the planning permission

Ward councillors and footpath societies had been consulted and no objections had been received.

Options Considered

Option 1: To approve the recommendation.

Option 2: Not to approve the recommendation

Resolved

That the application for a Public Path Diversion & Definitive Map and Statement Modification Order for the diversion of Footpath 20 Failsworth, under Section 257 of the Town and Country Planning Act 1990, and Section 53A of the Wildlife and Countryside Act 1981, be approved as detailed in the report and the Director of Environment and the Director of Legal be authorised to carry out the necessary procedures with a view to confirming the Order in the event that no objections are made to the Order.

The meeting started at 5.30pm and ended at 6.40pm.

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HIGHWAY REGULATION COMMITTEE

Objections to Prohibition of Waiting – Buckstones Road, Shaw

Portfolio Holder:

Councillor C Goodwin, Cabinet Member for Don't Trash Oldham

Officer Contact: Nasir Dad, Director of Environment

Report Author: Sarah Robinson

Ext. Teams

30 January 2025

Reason for Decision

To consider objections received to proposed prohibitive waiting restrictions at Buckstones Road, Woodhouse Road and Dingle Avenue, Oldham.

Recommendation

It is recommended that notwithstanding the objections received, the waiting restrictions are introduced as originally proposed.

Objections to Prohibition of Waiting – Buckstones Road, Shaw

1 Background

A report recommending the introduction of prohibitive waiting restrictions along parts of Buckstones Road, Woodhouse Road and Dingle Avenue, and a bus stop clearway on Buckstones Road was approved under delegated powers on 9 July 2024. The report was subsequently advertised, and 2 letters of objection have been received.

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

Both objectors are residents of a group of cottages referred to as 'Goats', which front onto Milnrow Road, immediately south of its junction with Buckstones Road. The residents do not have off street parking provision and rely on the highway for parking, but as Milnrow Road, outside their properties is protected by double yellow lines, the nearest available location is along Buckstones Road.

To assist the residents to park, one objector has requested that the lines are proposed on the opposite side of Buckstones Road, and one objector has requested the introduction of residents only parking along Buckstones Road for use by 'Goats' residents only.

The introduction of yellow lines on the opposite side of Buckstones Road would not resolve the visibility problems being experienced at the Woodhouse Road junction, which is one of the main reasons for their introduction.

Residents parking schemes are not currently being considered for introduction due to the associated high implementation costs, for which there is not currently an identified budget. Even if a residents parking scheme could be considered, the permit issue would not be restricted to a small group of residents; any resident currently utilising the area for parking would be eligible for a permit resulting in the area being oversubscribed, and the parking difficulties not being addressed.

The negative effect that can result for residents when removing on street parking is understood, but when parking creates a safety issue and affects traffic flows along the main road network, the Highways Authority should look at measures to alleviate the identified problems. It is a common misconception that roads are provided as a parking facility, when in fact their primary purpose is for the safe passage of highway users.

2 Options/Alternatives

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

3 Preferred Option

- 3.1 The preferred option is Option 1 as this will alleviate the obstructed visibility at the Woodhouse Road junction and the improve access for larger vehicle accessing and egressing Buckstones Road at Milnrow Road.

4 **Consultation**

- 4.1 The Shaw Ward Members have been consulted and Councillor H Sykes has commented, I am concerned the extent of these proposed restrictions.

Something does need to be done about Buckstones Road up to Woodhouse Road, here there is regular double parking and the bus stop is blocked and visibility is poor.

I am less convinced about the other parts of the scheme.

If mindful to grant this can I suggest it is reviewed in 6 months and we could reduce, if required, some of the restrictions if they are approved in full.

5 **Engineers Response**

- 5.1 The yellow lines restrictions could only be reviewed after 6 months if the scheme is introduced on an experimental basis; the introduction of a permanent order would not permit this. An experimental order would not apply to the bus stop clearway; this would be introduced on a permanent basis only.

6 **Community Cohesion Implications, including crime and disorder implications under Section 17 of the Crime and Disorder Act 1998**

- 6.1 None

7 **Risk Assessments**

- 7.1 These were dealt with in the previous report.(Refer to Appendix A)

8 **Co-operative Implications**

- 8.1 These were dealt with in the previous report (Refer to Appendix A)

9 **Procurement Implications**

- 9.1 None

10 **Financial Implications**

- 10.1 These were dealt with in the previous report (Refer to Appendix A)

11 **Legal Implications**

- 11.1 These were dealt with in the previous report (Refer to Appendix A)

12 **Equality Impact, including implications for Children and Young People**

- 12.1 No

13 **Key Decision**

- 13.1 No

14 **Key Decision Reference**

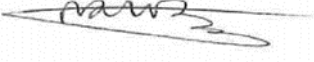
- 14.1 N/A

15 **Background Papers**

15.1 None

16 **Appendices**

16.1 Appendix A – Approved Mod Gov Report
Appendix B – Copies of Objections

<p>Signed</p>  <p>Director of Environment</p>	<p>Dated 19 December 2024</p>
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APPENDIX A
APPROVED MODGOV REPORT

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

Decision Maker: Nasir Dad, Director of Environment

Date of Decision: 9 July 2024

Subject: Buckstones Road, Woodhouse Road and Dingle Avenue,
Shaw – Prohibition of Waiting and Bus Stop Clearway

Report Author: Sarah Robinson, Traffic Engineer

Ward (s): Shaw

Reason for the decision: Buckstones Road is a 'B' classified road, which connects the A672 Ripponden Road at Grains Bar with the A663 Milnrow Road, Shaw. The majority of the route is rural in nature, only the length from Hillside Avenue to Milnrow Road becomes an urban environment due to frontage of residential properties and the access it provides to other residential side roads.

The length of Buckstones Road between Milnrow Road and George Street has recently seen an increase in on-street parking, which is believed to generate mainly from the residents of Milnrow Road, who live in the terraced properties and do not have off street parking provision. The parking is now at a level where the visibility for residents egressing from Woodhouse Road into Buckstones Road is obstructed, and larger vehicles are struggling to access Milnrow Road due to parking taking place on both sides of the street.

Requests have, therefore, been received from Ward Members and residents for measures to be introduced to control how on-street parking takes place.

Summary: The purpose of the report is to approve the introduction of double yellow lines along parts of Buckstones Road, Woodhouse Road and Dingle

Avenue, together with the introduction of a Bus Stop Clearway on Buckstones Road, as detailed on drawing number 47/A4/1728/1 and in the schedules at the end of this report.

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

Options 1: Approve the introduction of yellow lines and improve safety / access along Buckstones Road

Option 2: Leave the parking arrangements as they are and allow the obstructive parking to continue.

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

The Ward Members have been consulted and Councillor H Sykes has commented, I do have concerns for road safety in this area, However, I am also concerned this is a lot of parking restrictions and I am worried where all the current parked cars and other vehicles will be displaced to and it might create more problems than it solves. The bus clearway is needed. The key for me is getting these enforced. Would it be possible to reduce the extent of the proposals? Is it possible to just have the clearway and the restrictions on either side of it between George Street and Woodhouse Road or something similar

Response to Councillors Comments

A reduction in the restrictions along Buckstones Road, as suggested, will not address the visibility problems for motorists leaving Woodhouse Road who are attempting to observe motorists approaching the junction along Buckstones Road from their left. It would also allow the obstructive parking to continue along Buckstones Road which affects access for larger vehicles entering and leaving Milnrow Road.

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 on behalf on the Bus Team, we are in full support of this scheme. The waiting restrictions in addition to the bus stop clearway will allow for buses to serve this stop unobstructed by parked vehicles.

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):

The preferred option is Option 1

Implications:

What are the financial implications?

The cost of introducing the measures is detailed below:-

	£
Advertisement of Order	1,200
Road Markings	500
Erection of Signs	300
Total	2,000

The advertising, road markings and signs will be funded from the relevant budgets within Highways.

(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.

Bus stop clearways can be introduced without the need for a Traffic Regulation Order. The Council has 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. (Alan Evans)

What are the **treasurers'** comments?

What are the **procurement** implications? None

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

Equality Impact attached or not required because (please give reason) No

What are the **property** implications? None

Risk assessments:	<p>The introduction of yellow lines at this location will improve safety for road users, improve access and assist with visibility. There could be reputation risks around the scheme in terms of residents and business reactions to the proposals these can be mitigated by effective communications, the publication notice and review of any objections received before installing the new lining.</p> <p>(Vicki Gallacher, Head of Insurance and Information Governance)</p>
Co-operative implications	<p>The proposals recommended in this report will improve road safety and therefore the safety of our residents. This is important to residents and therefore this proposal shows how we are working cooperatively to improve the lives of our residents. (James Mulvaney, Policy Manager)</p>
Community cohesions, including crime and disorder implications	<p>The proposal will improve road safety for all highway users.</p>
Environmental and Health & Safety Implications	<p>The proposal will improve road safety for all highway users.</p>
IT Implications	<p>None</p>

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 / A4 / 1728 / 1

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

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	<u>Buckstones Road</u> (South West Side) From a point 21 metres south east of Milnrow Road to a point 12 metres south east of Woodhouse Road	At Any Time		
	<u>Buckstones Road</u> (South West Side) From a point 10 metres north west of George Street for a distance of 7 metres in a north westerly direction	At Any Time		
	<u>Buckstones Road</u> (North East Side) From a point 15 metres north west of Dingle Avenue to a point 15 metres south east of Dingle Avenue	At Any Time		
	<u>Woodhouse Road</u> (Both Sides) From its junction with Buckstones Road for a distance of 10 metres in a south westerly direction	At Any Time		
	<u>Dingle Avenue</u> (Both Sides) From its junction with Buckstones Road for a distance of 10 metres in a north easterly direction	At Any Time		

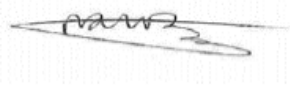
Introduce a Bus Stop Clearway

Location	Description	Hours of Operation
Buckstones Road South West Side	From a point 12 metres south east of Woodhouse Road to a point 17 metres north west of George Street	24 Hours

There are no background papers for this report

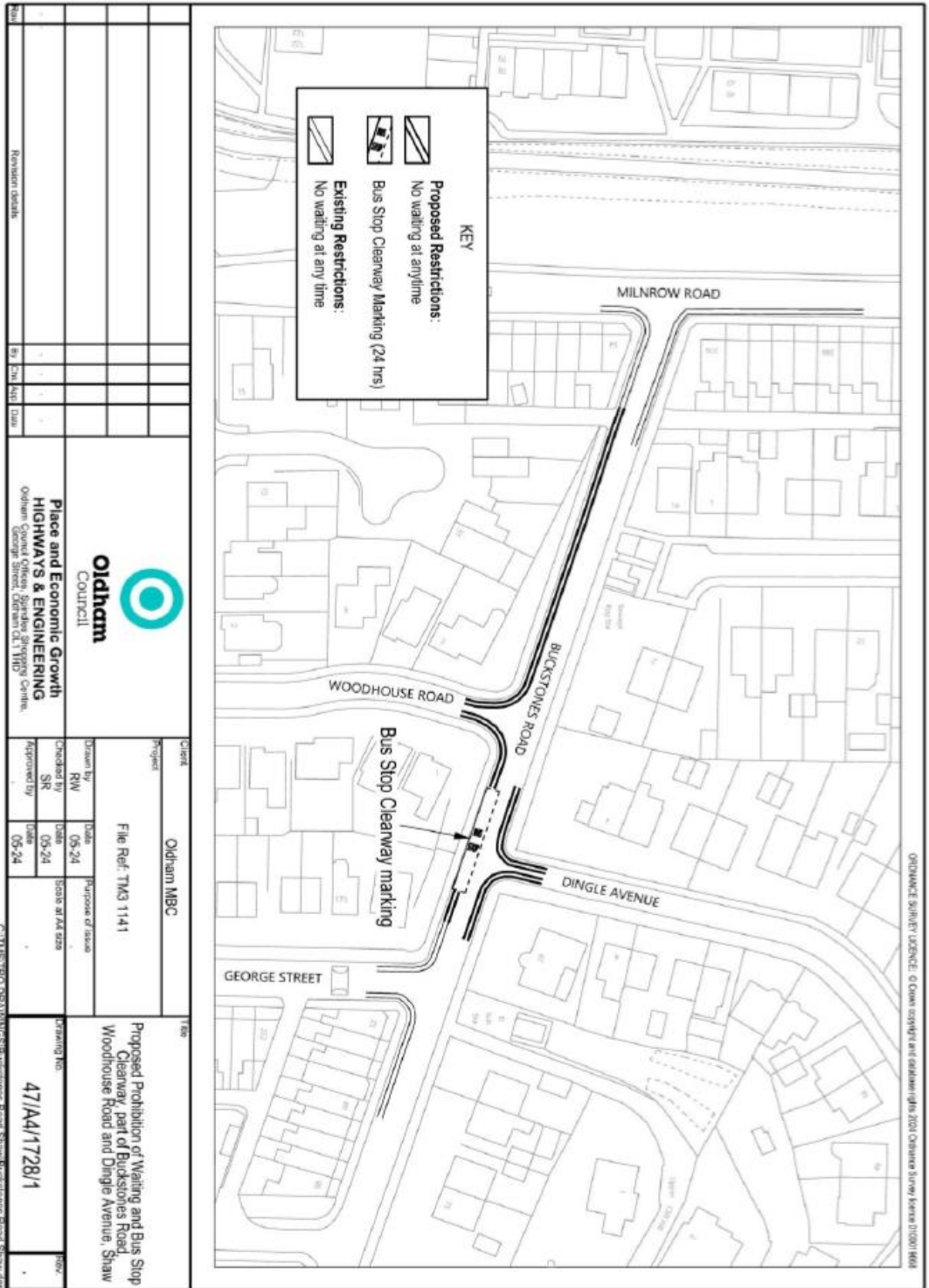
Report Author Sign-off:	
Sarah Robinson	
Date: 5 July 2024	

In consultation with Director of Environment



Signed :

Date: 9 July 2024



APPENDIX B
COPIES OF OBJECTIONS

Objection 1

Following on from your recent letter, regarding the yellow lines on buckstones road, I don't quite understand why you would like to enforce yellow lines on the road in which we park on currently and not the opposite side of the road, to create less crowded roads and a easier view for cars?

From someone who lives at Goats, we and fellow residents have to park on this road due to us having nowhere else to park. I understand that sometimes it can become very overcrowded due to people double parking, which is never people who live in the surrounding areas, it is always people who are visiting or people who leave their cars there all day whilst going to work. It's just as annoying for us residents people double parking as it is for other members of the public.

The only time there is traffic on this road is due to roadworks, which in the past 1 year we have had 2 or 3 way traffic lights and road closures on this road MULTIPLE times, which is not our fault.

It is seeming unfair for you to put the yellow lines on this side of the road and not the opposite. If you put them on the opposite, it would stop people from double parking which will make it easier for people to drive up and down the road, with a clear view. By enforcing these lines you are going to encourage people parking on the main road (milnrow road) which infact cause's more problems, which I'm sure you can imagine.

Please see it from a residents point of you.

Objection 2

I live at [REDACTED] goats just off buckstones road. The parking situation is, and always has been awful. We all struggle enough finding a parking space as we can't park on milnrow road for obvious reasons, and the alley behind the houses is now blocked off due to an extension which was never permitted on the rear of number 40, who currently runs a Carwash from his garden and has, to the best of my knowledge, illegally fenced off the end of the alleyway

Buckstones road is literally the only place we can park, although other residents from surrounding streets also park there. I feel like double yellow lines won't solve any problems it will absolutely make them a lot worse.

I feel like parking permits for the residents of Goats would be a much more effective way of controlling the parking issue, if one parking permit per house was issued that would allow us to park with plenty of room, and stop people from surrounding areas taking up space when they have driveways of their own to park on.

I really hope this finds someone who will genuinely take this into account, as neighbours we have discussed this and all reach the conclusion that it makes much more sense than simply taking away what little space we already have. Especially those of us which small children

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Definitive Map and Statement Modification Order

Diversion of Definitive Footpath 45 Oldham, at Rosary Road, Oldham, S53 Wildlife and Countryside Act 1981

Portfolio Holder:

Councillor C Goodwin, Cabinet Member for Don't Trash Oldham

Officer Contact: Nasir Dad, Director of Environment

Report Author: Liam Kennedy, PRow Officer
Ext. 4306

Highways Regulation Committee

Reason for Decision

Subsequent to the confirmation of the Public Path Diversion Order 2013 for the diversion of Footpath 45, Oldham, it is necessary for Oldham Council as Highway Authority, to amend the Definitive Map and Statement for the aforementioned Footpath to reflect the diversion.

Recommendation

It is recommended that the Council make a Modification Order in respect of the diversion of Footpath 45 Oldham under Section 53(2)(b) 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.

Definitive Map and Statement Modification Order Diversion of Definitive Footpath 45 Oldham, at Rosary Road, Oldham, S53A Wildlife and Countryside Act 1981**1 Background**

- 1.1 Definitive Footpath 45 Oldham was diverted under s257 of The Town & Country Planning Act 1990, in accordance with planning permission granted for the development of land at Rosary Road, Oldham (PA/331978/12) by a Public Path Diversion Order in 2013. The Order was to come into effect when the diverted route was provided to the Council's reasonable satisfaction. Subsequently, this Order was Confirmed as an Unopposed Order on 16 January 2025, and subsequently brought into effect. As a result of this, Oldham Council has to make the necessary amendments to the Definitive Map and Statement.
- 1.2 The Council has an obligation to continuously review the Definitive Map and Statement. The Definitive Map shows the location and status of public rights of way and the Definitive Statement gives descriptions of the public rights of way, including any restrictions on their use.

2 Current Position

- 2.1 The part of Footpath 45 Oldham to be diverted is shown in purple on the attached plan below. The path commences from point B, situated at the back of footway off Rosary Road, Oldham, 143 metres in a generally north easterly direction from the junction of Mills Farm Close and Rosary Road, and proceeds for a distance of 48 metres in a south easterly direction to point A, situated 15 metres north east of 9 Mills Farm Close, Oldham.
- 2.2 The diverted route of Footpath 180 Oldham is also shown (in green) on the attached plan below. The path commences from point A and proceeds for a distance of 34 metres in a generally north easterly direction to point X, situated 49 metres in a generally north easterly direction from 9 Mills Farm Close and then proceeds for a distance of 48 metres in a north westerly direction to point Y, situated at the back of the footpath off Rosary Road, 175 metres north east of the junction of Mills Farm Close and Rosary Road, where it rejoins the existing route of Footpath 45 Oldham. The diverted route has a width of 1.8 metres throughout.
- 2.3 The amendments required to the Definitive Statement are detailed in the Schedule.

3 Options/Alternatives

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

4 Preferred Option

- 4.1 As the Public Path Diversion Order has been brought into effect, pursuant to the duty in section 53 of the Wildlife and Countryside Act 1981, the Council is required to modify the Definitive Map and Statement accordingly. Therefore, it is recommended that Option 1 be approved, and the Council make a Modification Order in respect of Footpath 45 Oldham under Section 53(2)(b) 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.

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- 5 **Consultation**
- 5.1 No consultation is required as the Order is merely updating the Definitive Map and Statement to reflect the amendments made following the bringing into effect the Public Path Diversion Order. Consultation procedures involving the public, relevant landowners and statutory undertakers will have been carried out as part of the process of making and confirming the Public Path Diversion Order.
- 6 **Community Cohesion Implications, including crime and disorder implications under Section 17 of the Crime and Disorder Act 1998**
- None
- 7 **Risk Assessments**
- Not applicable
- 8 **Co-operative Implications**
- Not applicable (James Mulvaney, Policy Manager)
- 9 **Procurement Implications**
- None
- 10 **Financial Implications**
- 10.1 Implementing a Modification Order for the diversion of Footpath 45 will have no financial implications to the Authority
- (John Edisbury)
- 11 **Legal Implications**
- 11.1 Under section 53(2)(b) of the Wildlife and Countryside Act 1981 the Council is required as soon as reasonably practicable after the occurrence of any of the events specified in section 53(3), to make by order such modifications to the Definitive Map and Statement as appear to them to be requisite in consequence of the occurrence of that event. The events in section 53(3) include at section 53(3)(a)(i) the coming into operation of any enactment or instrument or any other event whereby a highway shown in the map and statement has been authorised to be stopped up, diverted, widened or extended. An order made pursuant to an event in section 53(3)(a)(i) is known as a legal event modification order.
- 11.2 Legal event modification orders simply record on the Definitive Map and Statement legal changes that have already taken place under some other legislation. They do not have to be advertised, are not subject to objections and take effect as soon as they are made. The modification order to be made by the Council will be a legal event modification order, as it is being made as a result of the confirmation and bringing into effect the Public Path Diversion Order relating to Footpath 45 Oldham. (A Evans)
- 12 **Equality Impact, including implications for Children and Young People**
- 12.1 No

- 13 **Key Decision**
- 13.1 No
- 14 **Key Decision Reference**
- 14.1 Not applicable
- 15 **Background Papers**
- 15.1 None
- 16 **Appendices**
- 16.1 1) s257 TCPA Public Path Diversion Order

Schedule – Current Definitive Statement

District and path number	Page Number	Status	Length (m)	Description	Comments
OLDHAM 45	10	Footpath	670	The path leaves Rosary Road between two blocks of flats and enters a field over a wooden stile. From here it runs southwards along the field boundary fence until it reaches a second fence which the path follows in an easterly direction before turning southwards to run along the west side of Little Bankfield Clough. The footpath crosses to the east side of the Clough	


				beyond the junction with path 46. It crosses the Medlock River by means of a footbridge to cross the borough boundary and join definitive footpath no. 144 in Ashton M.B. The path is a worn grass track.	
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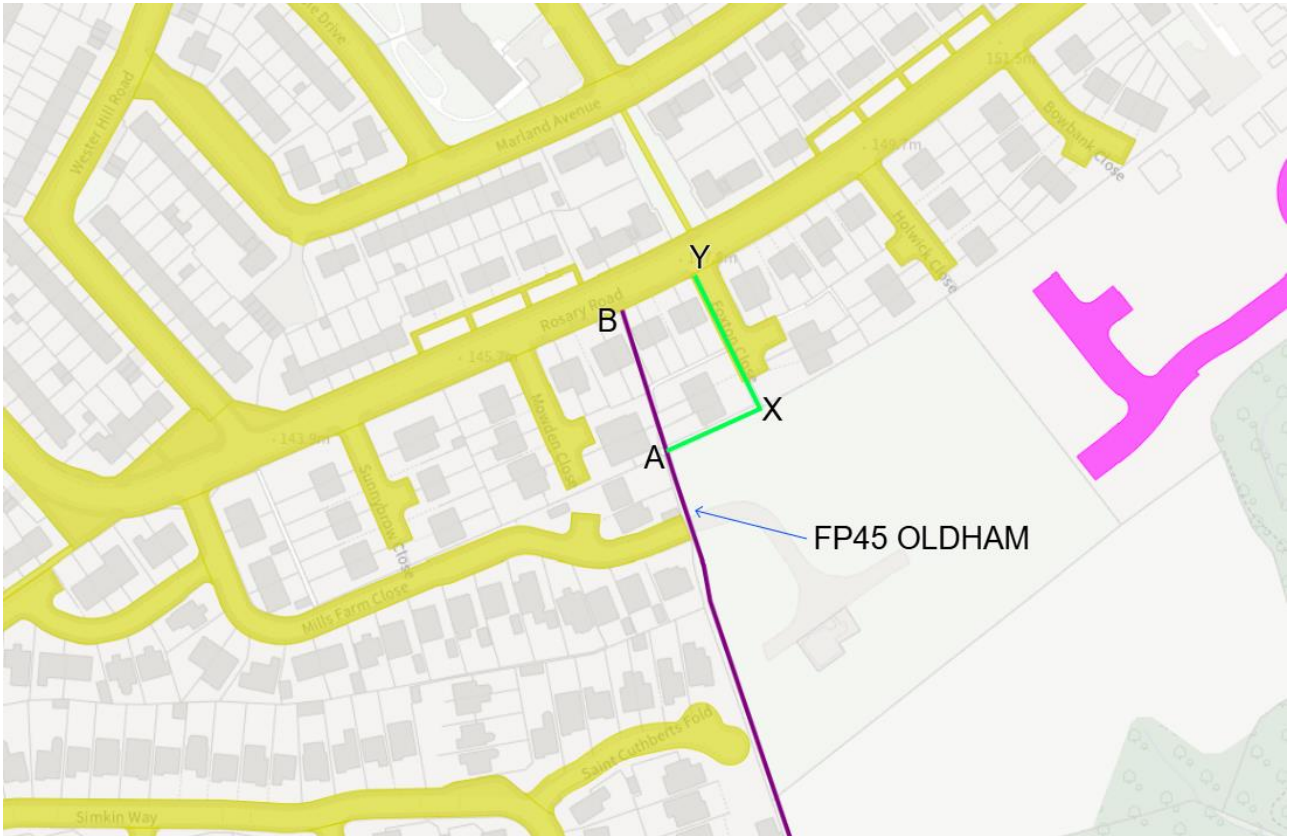
Schedule – Amended Definitive Statement

District and path number	Page Number	Status	Length (m)	Description	Comments
OLDHAM 45	10	Footpath	704	Path commences at GR SD93265 02376 on Rosary Road, Oldham and proceeds for a distance of approximately 48 metres in a south easterly direction along the Footway of Foxton Close to GR SD93288 02335 then proceeds in a generally south westerly direction for a distance of approximately 34 metres to GR SD93255 02320 then	Public Path Diversion Order 2013 The path has a width of 1.8 metres between GR SD93265 02376, SD93288 02335 and GR SD93255 02320

				<p>proceeds south for a distance of approximately 137 metres along the field boundary fence to GR SD93299 02186 at the junction of Footpath 136 Oldham. Path then proceeds east for a distance of approximately 126 metres to GR SD93427 02188 then proceeds in a generally south easterly direction for a distance of approximately 77 metres running along the west side of Little Bankfield Clough to its junction with Footpath 137 Oldham at GR SD93480 02134. Path continues south east then east for a distance of approximately 131 metres to its junction with Footpath 46 Oldham at GR SD93571 02064. Path continues in a generally south easterly direction for a distance of approximately 40 metres to</p>	
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				<p>its junction with Footpath 44 Oldham at GR SD93606 02053. Path then proceeds in a generally southerly direction for a distance of approximately 70 metres to GR SD93615 01984 to cross the River Medlock via footbridge and to cross the borough boundary and join definitive footpath no. 144 in Tameside. The path is a worn grass track.</p>	
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<p>Signed:</p>  <p>In consultation with Nasir Dad, Director of Environment</p>	<p>Dated: 23.01.25</p>
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APPENDIX 1
Public Path Diversion Order

**SECTION 257 TOWN & COUNTRY PLANNING ACT 1990
PUBLIC PATH DIVERSION ORDER**

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

**OLDHAM BOROUGH COUNCIL (PUBLIC FOOTPATH 45 OLDHAM)
PUBLIC PATH DIVERSION ORDER 2013**

This order is made by Oldham Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990, namely the development of land at Rosary Road, Oldham (PA/331978/12).

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be diverted as described below.
2. There shall be created to the reasonable satisfaction of Oldham Borough Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which Oldham Borough Council certify that the terms of Article 2 above have been complied with.
4. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Description of site of existing path or way

Commencing at point B situated at the back of the footway of Rosary Road, Oldham 143 metres in a generally north easterly direction from the junction of Mills Farm Close and Rosary Road, for a distance of 48 metres in a south easterly direction to point A situated 15 metres north east of the north east corner of 9 Mills Farm Close, Oldham.

PART 2
Description of site of alternative highway

Commencing from point A for a distance of 34 metres in a generally north easterly direction to point X situated 49 metres in a generally north easterly direction from 9 Mills Farm Close and then for a distance of 48 metres in a north westerly direction to point Y situated at the back of the footpath of Rosary Road 175 metres north east of the junction of Mills Farm Close and Rosary Road and having a width of 1.8 metres throughout, as shown on the attached map.

THE COMMON SEAL of)
OLDHAM BOROUGH)
COUNCIL was hereunto)
affixed on 17th July 2013)
in the presence of: -)



RE *Alan Evans*
ALAN EVANS
GROUP SOLICITOR

Number In Seal Book
408^B/13

Date of making this Order: 17th July 2013

Date of confirming this Order:

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Definitive Map and Statement Modification Order

Diversion of Definitive Footpath 180 Oldham, at London Road, Derker, S53 Wildlife and Countryside Act 1981

Portfolio Holder:

Councillor C Goodwin, Cabinet Member for Don't Trash Oldham

Officer Contact: Nasir Dad, Director of Environment

Report Author: Liam Kennedy, PRow Officer
Ext. 4306

Highway Regulation Committee

Reason for Decision

Subsequent to the confirmation of the Public Path Diversion Order 2013 for the diversion of Footpath 180, Oldham, it is necessary for Oldham Council as Highway Authority to amend the Definitive Map and Statement for the aforementioned Footpath to reflect the diversion.

Recommendation

It is recommended that the Council make a Modification Order in respect of the diversion of Footpath 180 Oldham under Section 53(2)(b) 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.

Definitive Map and Statement Modification Order Diversion of Definitive Footpath 180 Oldham, at London Road, Derker, S53A Wildlife and Countryside Act 1981**1 Background**

- 1.1 Definitive Footpath 180, Oldham, was diverted under s257 of The Town & Country Planning Act 1990, in accordance with planning permission granted for the development of land at London Road, Derker (PA/332832/12) by a Public Path Diversion Order in 2013. The Order was to come into effect when the diverted route was provided to the Council's reasonable satisfaction. Subsequently, this Order was Confirmed as an Unopposed Order and brought into effect on 1 March 2023. As a result of this, it is required for Oldham Council to make the necessary amendments to the Definitive Map and Statement.
- 1.2 The Council has an obligation to continuously review the Definitive Map and Statement. The Definitive Map shows the location and status of public rights of way and the Definitive Statement gives descriptions of the public rights of way, including any restrictions on their use.

2 Current Position

- 2.1 The part of Footpath 180 Oldham to be diverted is shown in green on the attached plan below. The path commences from point A, 30 metres east of London Road, Derker, and proceeds for a distance of 119 metres in a generally northerly direction to point B, which is located 40 metres east of the kerb line with London Road, Derker.
- 2.2 The diverted route of Footpath 180 Oldham is also shown (in purple) on the attached plan below. The path commences from point A, 30 metres east of London Road, Derker, and proceeds for a distance of 81 metres in an easterly direction to point Z which is located 110 metres east of London Road. It then proceeds for a distance of 33 metres in a northerly direction to point Y, which is located 115 metres north east of the eastern radius of the London Road/Derker Street junction. Then for a distance of 100 metres in a generally north westerly direction to point B, which is located 40 metres east of the kerb line with London Road, Derker, and having a width of 2 metres throughout. From point B the footpath continues on its original route to Stoneleigh Street.
- 2.3 The amendments required to the Definitive Statement are detailed in the Schedule.

3 Options/Alternatives

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

4 Preferred Option

- 4.1 As the Public Path Diversion Order has been brought into effect, pursuant to the duty in section 53 of the Wildlife and Countryside Act 1981, the Council is required to modify the Definitive Map and Statement accordingly. Therefore, it is recommended that Option 1 be approved, and the Council make a Modification Order in respect of Footpath 180 Oldham under Section 53(2)(b) 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.

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- 5 **Consultation**
- 5.1 No consultation is required as the Order is merely updating the Definitive Map and Statement to reflect the amendments made following the bringing into effect the Public Path Diversion Order. Consultation procedures involving the public, relevant landowners and statutory undertakers will have been carried out as part of the process of making and confirming the Public Path Diversion Order.
- 6 **Community Cohesion Implications, including crime and disorder implications under Section 17 of the Crime and Disorder Act 1998**
- None
- 7 **Risk Assessments**
- Not applicable
- 8 **Co-operative Implications**
- Not applicable (James Mulvaney, Policy Manager)
- 9 **Procurement Implications**
- None
- 10 **Financial Implications**
- 10.1 Implementing a Modification Order for the diversion of Footpath 180 will have no financial implications to the Authority.
- (John Edisbury)
- 11 **Legal Implications**
- 11.1 Under section 53(2)(b) of the Wildlife and Countryside Act 1981 the Council is required as soon as reasonably practicable after the occurrence of any of the events specified in section 53(3), to make by order such modifications to the Definitive Map and Statement as appear to them to be requisite in consequence of the occurrence of that event. The events in section 53(3) include at section 53(3)(a)(i) the coming into operation of any enactment or instrument or any other event whereby a highway shown in the map and statement has been authorised to be stopped up, diverted, widened or extended. An order made pursuant to an event in section 53(3)(a)(i) is known as a legal event modification order.
- 11.2 Legal event modification orders simply record on the Definitive Map and Statement legal changes that have already taken place under some other legislation. They do not have to be advertised, are not subject to objections and take effect as soon as they are made. The modification order to be made by the Council will be a legal event modification order as it is being made as a result of the confirmation and bringing into effect the Public Path Diversion Order relating to Footpath 180 Oldham. (A Evans)
- 12 **Equality Impact, including implications for Children and Young People**
- 12.1 No

- 13 **Key Decision**
- 13.1 No
- 14 **Key Decision Reference**
- 14.1 N/A
- 15 **Background Papers**
- 15.1 None
- 16 **Appendices**
- 16.1 1) s257 TCPA Public Path Diversion Order


Schedule – Current Definitive Statement

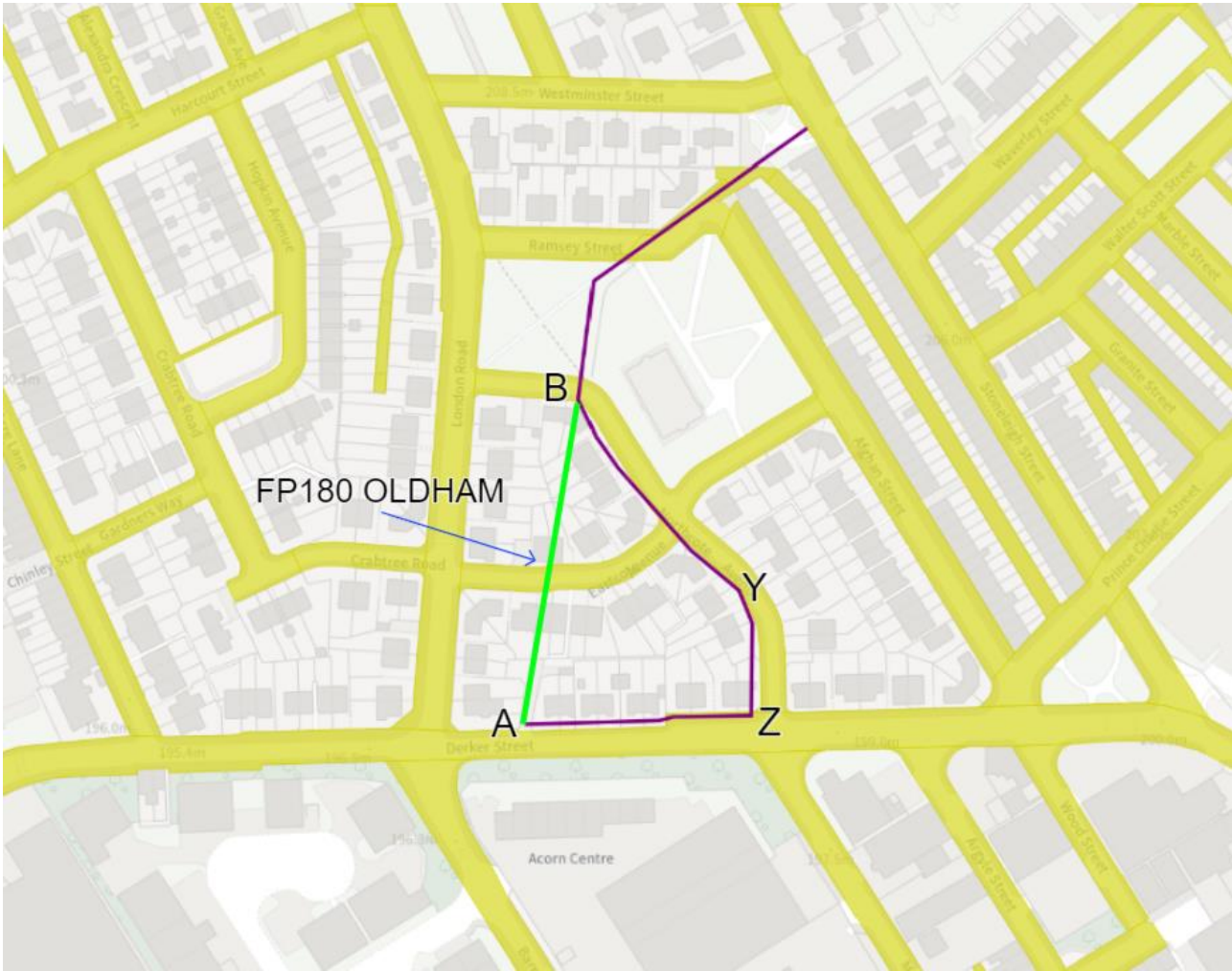
District and path number	Page Number	Status	Length (m)	Description	Comments
OLDHAM 180	5	Footpath	250	Path leaves Derker Street northwards as a cobbles access to rear of some houses. Path changes at Garnet Street to a rough tarmac path still heading northwards where it passes to the west side of a school. Path continues as a stone/dirt path to Stoneleigh Street next to Westminster Street.	

Schedule – Amended Definitive Statement

District and path number	Page Number	Status	Length (m)	Description	Comments
OLDHAM 180	5	Footpath	345	Path commences at (GR SD93745 05749), 30 metres east of London Road, Derker and proceeds for a distance of 81 metres in an easterly direction to (GR SD93826 05754) which is located 110 metres east of London Road. Then for a distance of 33 metres in a northerly direction to (GR SD93826 05787), which is located 115 metres north east of the eastern radius of the London Road/Derker Street junction. Then for a distance of 100 metres in a generally north westerly direction to (GR SD93766 05867) which is located 40 metres east of the kerb line with	Public Path Diversion Order 2013

				<p>London Road, Derker and having a width of 2 metres throughout. Path continues in a north westerly direction over playing field and joins Ramsey Street to continue and terminate at Stoneleigh Street approx. 10 metres from its junction with Westminster Street.</p>	
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<p>Signed:</p>  <p>In consultation with Nasir Dad, Director of Environment</p>	<p>Dated: 23.01.25</p>
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APPENDIX 1

Public Path Diversion Order

PUBLIC PATH DIVERSION ORDER

SECTION 257 TOWN AND COUNTRY PLANNING ACT 1990

**OLDHAM BOROUGH COUNCIL (PUBLIC FOOTPATH 180 OLDHAM)
PUBLIC PATH DIVERSION ORDER 2013**

Date Order made: 19th June 2013

Date Order confirmed: 1st March 2023

Date Order brought into effect: 1st March 2023

**Legal Section
Civic Centre
West Street
Oldham
OL1 1UL**

**SECTION 257 TOWN & COUNTRY PLANNING ACT 1990
PUBLIC PATH DIVERSION ORDER**

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

**OLDHAM BOROUGH COUNCIL (PUBLIC FOOTPATH 180 DERKER)
PUBLIC PATH DIVERSION ORDER 2013**

This order is made by Oldham Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990, namely the development of land at London Road, Derker (PA/332832/12).

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be diverted as described below.
2. There shall be created to the reasonable satisfaction of Oldham Borough Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which Oldham Borough Council certify that the terms of Article 2 above have been complied with.
4. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Description of site of existing path or way

Commencing from point A, 30 metres east of London Road, Derker for a distance of 119 metres in a generally northerly direction to point B, which is located 40 metres east of the kerb line with London road, Derker.

PART 2
Description of site of alternative highway

Commencing from point A, 30 metres east of London Road, Derker for a distance of 81 metres in an easterly direction to point Z which is located 110 metres east of London Road. Then for a distance of 33 metres in a northerly direction to point Y, which is located 115 metres north east of the eastern radius of the London Road/Derker Street junction. Then for a distance of 100 metres in a generally north westerly direction to point B, which is located 40 metres east of the kerb line with London road, Derker, and having a width of 2 metres throughout, as shown on the attached map.

THE COMMON SEAL of
OLDHAM BOROUGH
COUNCIL was hereunto
affixed on 19th June 2013
in the presence of: -

KE

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)
)



Number in Seal Book
346/13

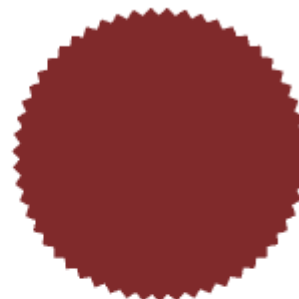
Date of making this Order: 19th June 2013

Confirmed by the Oldham
Borough Council without
Modification as an
Unopposed Order this
1st day of MARCH 2023
in the presence of:-

KE



REBECCA BOYLE
GROUP SOLICITOR



Number in Seal Book
8600/23

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