HIGHWAY REGULATION COMMITTEE
30/03/2026 at 5.30 pm

Present: Councillor Shuttleworth (Chair)
Councillors Chowhan and Davis (Vice-Chair)

Also in Attendance:

Alan Evans	Group Solicitor
Kaidy McCann	Constitutional Services
Colin McLaren	Ward Councillor
Applicant	

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Hughes.

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 29th January 2026 be approved as a correct record.

6 **S53 – WILDLIFE AND COUNTRYSIDE ACT 1981, CLAIM TO REGISTER PUBLIC FOOTPATH AT LAUREL AVENUE, CHADDERTON PINS APPEAL**

Consideration was given to a report of the Director of Environment which sought approval (as directed by the Secretary of State) for the making of a Definitive Map and Statement Modification Order for the addition of the claimed route at Laurel Avenue, Chadderton.

Following the decision of the Highways Regulation Committee on the 19th June 2025 not to approve the application for the making of the order, the applicant submitted an appeal to the Planning Inspectorate. The decision of the Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs was that Oldham Council was to be directed to make an Order as they were satisfied that the legal tests for use of the claimed route 'as of right' for a continuous period of 20 years were satisfied.

An application for a Modification Order was submitted following the erection of gates by the current landowner in November

2024. Evidence in support of the application consisted of 43 user evidence forms and maps claiming more than 20 years use of the Application Route. The application and associated evidence were investigated and considered by the Public Rights of Way Officer. The Officer was satisfied that considering all evidence, upon the balance of probabilities a right of way existed and that there was no evidence prior to the erection of the gates in November 2024 of a lack of intention to dedicate by the landowner.

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

RESOLVED that the Director of Environment and the Director of Legal Services be authorised to carry out the necessary procedures to make the Order and to confirm the Order in the event that no objections are made to it.

NOTE:
1. the Applicant attended the meeting and addressed the Committee.
2. A Ward Councillor attended the meeting and addressed the Committee.

The meeting started at 5.54 pm and ended at 6.02 pm