

## **Delegated Officer Report**

|                          |                                                                                                                                                      |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Decision Maker:</b>   | <b>Nasir Dad, Director of Environment</b>                                                                                                            |
| <b>Date of Decision:</b> | <b>11 October 2022</b>                                                                                                                               |
| <b>Subject:</b>          | <b>Porter Street, Oldham, draw down of S106 resources from DB425 Land at Saint John's Street, Porter Street and Edward Street, Oldham (PA343071)</b> |
| <b>Report Author:</b>    | <b>Alister Storey</b>                                                                                                                                |
| <b>Ward (s):</b>         | <b>Werneth</b>                                                                                                                                       |

---

---

|                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Reason for the decision:</b> | <p>One of the planning conditions for the residential development at this site required a prohibition of driving (except cycles) Traffic Regulation order (TRO) to be brought into effect to prevent traffic from entering Porter Street from Featherstall Road South. The TRO has been sealed and the civils works on site have been completed to the agreed layout and the site is operational.</p> <p>Regular complaints are being received from residents on Porter Street that vehicles are driving through the restriction, across the newly installed footway in both directions. This is a danger to pedestrians and cyclists as well as vehicles on the A62 and also those exiting the A62 to Featherstall Road South. It also means that vehicles are contravening the TRO.</p> <p>It is proposed to introduce several bollards around the junction, to prohibit vehicular movements to and from A62 Manchester Road to Porter Street and vice versa. A drawing of the proposals is shown at the end of this report.</p> |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Summary:**

To approve draw down of S106 funding associated with this development to a total of £5,097.78 to fund these highway works.

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

The installation of bollards is required for road safety purposes and to prevent the contravention of the TRO in place to prohibit driving.

The alternative is to not install bollards and allow the illegal and unsafe practise to continue. The police must witness a contravention taking place to take enforcement action, which, with lower police levels, is unlikely to happen.

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

The full TRO process has already taken place for the prohibition of driving order. Ward members are aware of the contraventions of TRO taking place and fully support the proposal to install bollards

***Recommendation(s):***

The preferred option is to install the bollards to stop this illegal and dangerous activity.

**Implications:**

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

The cost to install bollards on Porter Street junction will be circa. £5k and will be capital expenditure.

This will be funded from the relevant scheme within the Transport Capital Programme, which will be financed by Section 106 resource DB425 Land at Saint John's Street, Porter Street and Edward Street, Oldham (PA343071).

(John Edisbury)

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

The proposals are an appropriate use of the section 106 funding. (A Evans)

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

None, works will be delivered by Highway Ops.

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

None.

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

Not required, the scheme is to supplement an existing TRO that is in place.

What are the **property** implications

None, Ward Members have been consulted.

**Risks:**

None.

**Co-operative agenda**

The proposal will help meet resident's needs, making the area safer for residents. (Jonathan Downs – Corporate Policy Lead)

---

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

#### List of Background Papers under Section 100D of the Local Government Act 1972:

There are no background papers for this report

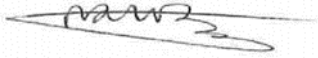
---

|                                |                        |
|--------------------------------|------------------------|
| <b>Report Author Sign-off:</b> |                        |
|                                | <b>Alister Storey</b>  |
| <b>Date: 29/09/2022</b>        | <b>Gordon Anderson</b> |

Please list and attach any appendices:-

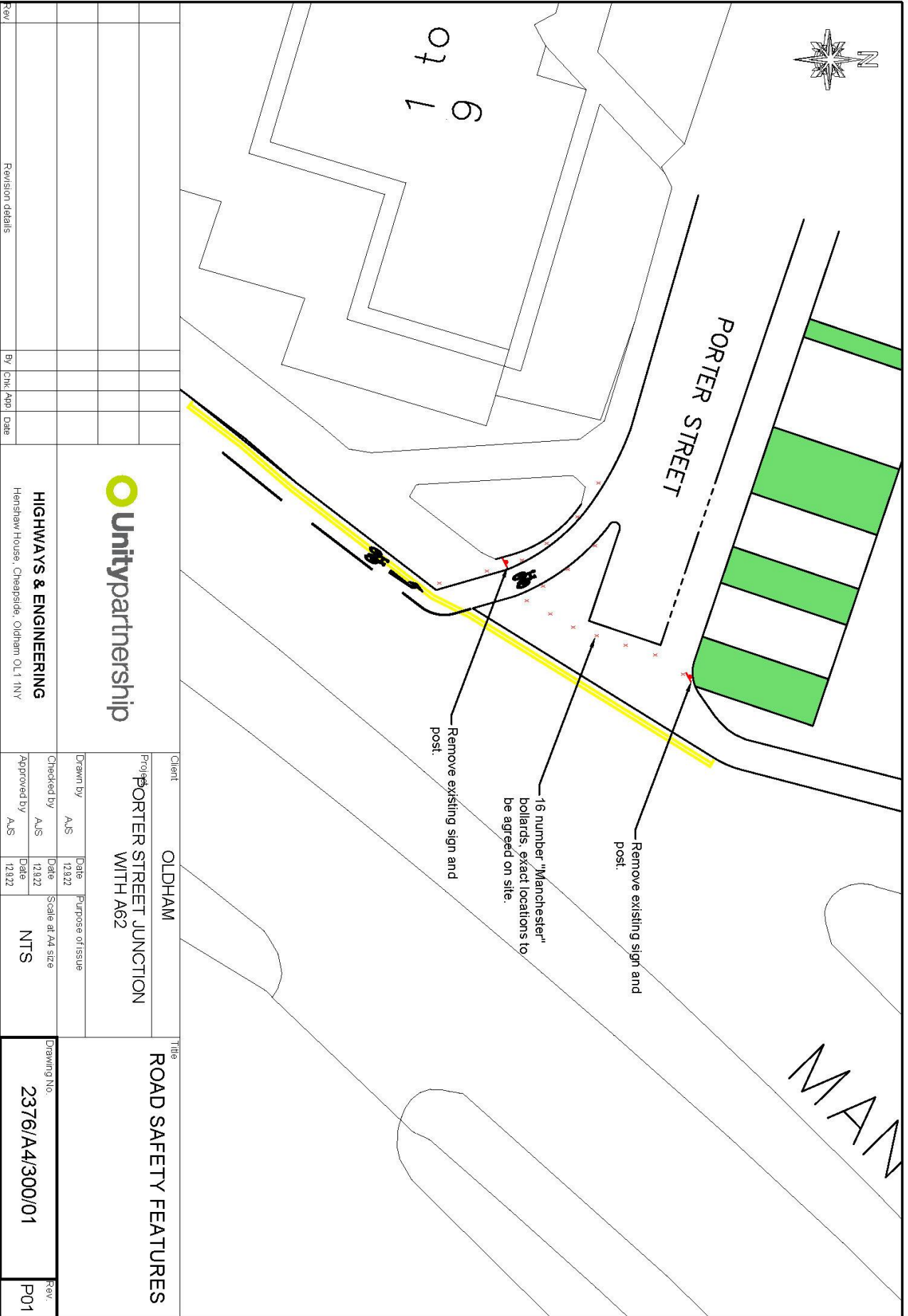
| <b>Appendix number or letter</b> | <b>Description</b>                                                                                                                                                                                                  |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A                                | Porter Street, Oldham – Proposed Prohibition of Driving and Revocation of One Way Working and allocation of A106 resources from BD425 land at St John's Street, Porter Street and Edward Street, Oldham (PA/343071) |

In consultation with Director of Environment:

A handwritten signature in black ink, appearing to be 'MWD', written over a light grey dotted rectangular background.

Signature:

Date: 11 October 2022



| Rev              | By | Ck | App | Date |
|------------------|----|----|-----|------|
|                  |    |    |     |      |
| Revision details |    |    |     |      |

**Unitypartnership**

**HIGHWAYS & ENGINEERING**  
Henshaw House, Cheapside, Oldham OL1 1NY

|                  |                                 |
|------------------|---------------------------------|
| Client           | OLDHAM                          |
| Project          | PORTER STREET JUNCTION WITH A62 |
| Drawn by         | AJS                             |
| Date             | 12.9.22                         |
| Purpose of issue |                                 |
| Checked by       | AJS                             |
| Date             | 12.9.22                         |
| Scale at A1 size |                                 |
| Approved by      | AJS                             |
| Date             | 12.9.22                         |

|             |                      |
|-------------|----------------------|
| Title       | ROAD SAFETY FEATURES |
| Drawing No. | 2376/A4/300/01       |
| Rev.        | P01                  |

D:\Oldham Council\Schemes\Porter Street\2376-A4-300-01.dwg

## Appendix A



**Oldham**  
Council

## **Delegated Decision**

# **Porter Street, Oldham – Proposed Prohibition of Driving and Revocation of One Way Working and allocation of S106 resources from DB425 land at St John’s Street, Porter Street and Edward Street, Oldham (PA/343071)**

Report of: Deputy Chief Executive – People and Place

Officer contact: Sarah Robinson, Traffic Engineer, Ext. 4377  
Liz Whitehead, Principal Regeneration Officer, Ext 4168

**11 December 2020**

### **Purpose of Report**

The purpose of this report is to:

1. approve both the introduction and revocation of traffic regulations orders connected with a new residential development at Porter Street Oldham, to fulfil the requirements of Planning Decision PA 336785/15.
2. allocate resources secured through a Section 106 planning obligation, DB425 Land at St John’s Street, Porter Street and Edward Street, Oldham to fund the proposed Prohibition of Driving and Revocation of One Way Working set out in the report.

### **Recommendation**

It is recommended that:

1. a ‘Prohibition of Driving’ Order, with an exemption for cyclists, is approved on Porter Street, at its junction with Featherstall Road South, and the existing one way order along Porter Street be revoked, in accordance with the schedules at the end of this report.
  2. The allocation of £2,200 section 106 resources from DB 425 - Land at St John’s Street, Porter Street and Edward Street, Oldham (PA/343071) to Unity Partnership for the purposes of implementing the Prohibition of Driving and Revocation of One Way Working
-

Delegated Decision

## **Porter Street, Oldham – Proposed Prohibition of Driving and Revocation of One Way Working**

### **1 Background**

- 1.1 Planning permission for the development at Land at St John's Street, Porter Street and Edward Street, Oldham (PA/343071) was granted subject to the developer first entering a Section 106 planning obligation. This obligation was signed on 25/09/2019, whereby the developer, Keepmoat Homes Ltd, agreed to pay to the Council a commuted sum of £5,000 towards amendments to existing traffic regulation orders relating to changes to the one way traffic arrangements currently in place affecting the site. The commuted sum was payable on or before the commencement of the development and was paid on 30 October 2019.
- 1.2 The new residential development is currently under construction on land at St John Street, Porter Street and Edward Street, Werneth; although the development comprises of new properties, the existing highway network is being utilised for access to the properties. There is a requirement for the Developer to prevent traffic from entering Porter Street from Featherstall Road South but with an exemption for cyclists; this requires the Highways Team to promote a Traffic Regulation Order for the implementation of a 'prohibition of driving except cyclists' order on Porter Street, at its junction with Featherstall Road South.
- 1.3 Porter Street is also currently subject to a one-way traffic order, from its junction with Featherstall Road South to its junction with Dover Street. Once the Prohibition of Driving Order described above is introduced, the one-way working will need to be removed, to allow residents to access their properties; this requires the revocation of the Traffic Regulation Order.
- 1.4 It is proposed to use part of the developers S106 contribution to fund the costs associated with this scheme to amend the traffic regulation orders to prohibit driving and revoke the one-way working.
- 1.5 The schedules connected with the above are detailed in the proposal at the end of this report.

### **2 Options/Alternatives**

- 2.1 Option 1: To approve the recommendation and meet the requirements of the Planning Decision and use the funds paid by the developer under their S106 agreement for this purpose.
- 2.2 Option 2: Not to approve the recommendation and allow rat running traffic through the area. To not use the funds paid via the S106 could lead to the funds being returned to the developer.



3 **Preferred Option**

3.1 The preferred option is Option 1

4 **Justification**

4.1 In view of the requirements of the Planning consent, it is proposed the introduction of a Prohibition of Driving Order, with an exemption for cyclists, and the revocation of the one way working be promoted.

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 Werneth Ward Councillors**

6.1 The Ward Councillors have been consulted and no comments were received.

7 **Financial Implications**

7.1 The cost of introducing/revoking these Orders is shown below:

|                                                     | £                   |
|-----------------------------------------------------|---------------------|
| Advertisement of Order                              | 1,200               |
| Introduction/Changing of Road Markings/Signage      | n/a                 |
| Unity Partnership Fee/Supervision                   | 1,050               |
| <b>TOTAL</b>                                        | <b><u>2,250</u></b> |
| Annual Maintenance Costs (calculated November 2020) | 100                 |

7.2 The costs of £2,250 would be 100% met by using part of the S106 contribution by the developer Keepmoat Ltd under reference DB 425.

7.3 Keepmoat will also incur the cost of Road Markings and Signage directly as part of it's site development works.

- 7.4 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.

(Nigel Howard)

## **8 Legal Services Comments**

- 8.1 The Council must be satisfied that it is expedient to make the Traffic Regulation Orders 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 – Nil.

15.3 Pollution – Nil.

15.4 Consumption and Use of Resources – Nil.

15.5 Built Environment – Alteration to visual appearance of area

15.6 Natural Environment – Nil.

15.7 Health and Safety – The removal of through traffic along Porter Street will create a safer environment for the residents

**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 Prohibition of Driving Order, with an exemption for cyclists, be introduced on Porter Street at its junction with Featherstall Road South, and
- the one way working along Porter Street be revoked, in accordance with the following schedules

Schedule

Drawing Number 47/A4/1626/1

Introduce a Prohibition of Driving Order (Except for Cyclists)

| Road                  | Description                                                                                        |
|-----------------------|----------------------------------------------------------------------------------------------------|
| Porter Street, Oldham | From its junction Featherstall Road South for a distance of 2 metres in a north westerly direction |

Revoke from the Oldham (Manchester Road and Manchester Street and various side streets, Oldham) Traffic Regulation Order 1992

| Road          | Length                                                                                                               | Permitted Direction |
|---------------|----------------------------------------------------------------------------------------------------------------------|---------------------|
| Porter Street | Extending from its junction with Featherstall Road South to a point 10 metres east of its junction with Dover Street | Westerly            |

**APPROVAL**

**Decision maker**

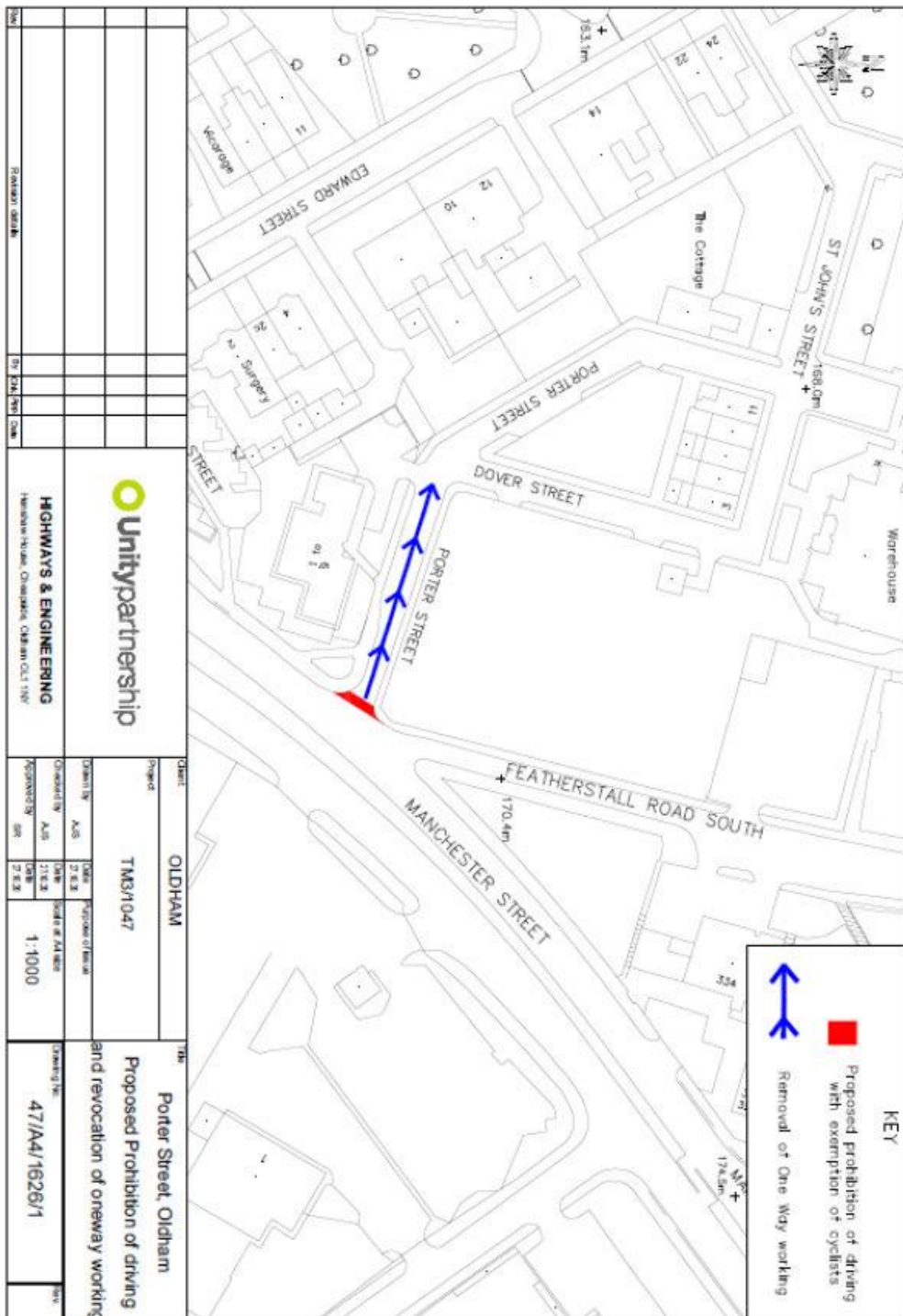


Signed \_\_\_\_\_  
Cabinet Member,  
Neighbourhoods and Culture

Dated 14<sup>th</sup> December 2020

**In consultation with**

|                                                                     |                        |
|---------------------------------------------------------------------|------------------------|
| Signed <i>Carl Brown</i><br>Director of Environmental<br>Management | Dated 14 December 2020 |
|---------------------------------------------------------------------|------------------------|



|                                                                                                   |                       |                                                                                                  |                                                      |
|---------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------|
|                                                                                                   |                       | <b>HIGHWAYS &amp; ENGINEERING</b><br><small>Highways - Urban, Commercial, Urban OLS 100'</small> |                                                      |
| Project: <b>TM3/1047</b>                                                                          | Object: <b>OLDHAM</b> | Date: 27.8.24<br>Drawn: 27.8.24<br>Checked: 27.8.24                                              | Scale of A3 size: 1:1000<br>Drawing No: 47/A4/1626/1 |
| <b>Porter Street, Oldham</b><br>Proposed Prohibition of driving and revocation of one-way working |                       | Drawing No: 47/A4/1626/1                                                                         |                                                      |