

Report to TRO Panel

Decision Maker:	Director of Environment, Nasir Dad
Date of Decision:	27 July 2023
Subject:	Conversion of Definitive Footpaths 53 & 54 Chadderton (Denton Lane to Queens Road, Chadderton) into Cycle Tracks - S3 The Cycle Tracks Act 1984 and S53A Wildlife and Countryside Act 1981
Report Author:	Liam Kennedy, PRow Officer
Ward (s):	Chadderton Central

Reason for the decision:	The Council has received an application from Oldham Council Highways Engineers for the conversion of Definitive Footpaths 53 & 54 Chadderton into a Cycle Track to improve sustainable travel connectivity with local schools, public transport and other key local facilities.
Summary:	To seek approval for the making of a Cycle Track Order for Footpaths 53 & 54 Chadderton as detailed in the report and a Definitive Map and Statement Modification Order in the event that the Cycle Track Order is confirmed.
Background:	<p>The footpaths between Broadway, Denton Lane and St Luke's C of E Primary School can be undesirable for use during the winter months as the routes could pose a potential safety risk due to lack of lighting infrastructure and dense vegetation encroaching on the footpaths. With the support of the Councillors, Oldham Council have designed a scheme to address this issue.</p> <p>The proposals aim to provide improved connectivity with local schools, Freehold Metrolink Tram Stop (which has secure cycle storage facilities) and other key local facilities by expanding the Bee Network at this location and connecting into the new development.</p>

By providing the improvements, it is envisaged that there will be an uptake/ modal shift to taking short journeys by sustainable modes i.e. walking, cycling and public transport.

The scheme aims to provide improved connectivity and appealing routes for all users. This will be accomplished by delivering the following scope of works:

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

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

Proposal:

The routes of Footpaths 53 & 54 Chadderton are shown on the attached plan (764/A4/237/1). Footpath 53 commences to the South at point E off Denton Lane between house No's 247/249 proceeding along Crawley Way in a northerly direction to point B off Ulverston Avenue for approx. 256m. The existing route follows the adopted Highway.

Footpath 54 commences at point C off Ulverston Avenue and proceeds in a north easterly direction to point F for approx. 393m to Queens Road. The existing route runs directly through Crossley Playing Fields.

The description of the proposed cycle track is given in Schedule 1. The alignment of the

existing routes will not be affected by this proposal.

If the order is confirmed, it will be necessary to modify the Definitive Map and Statement to remove Footpaths 53 & 54 Chadderton as they will no longer be footpaths which must be recorded on the Definitive Map and Statement. The Definitive Statements for the footpaths are given in Schedule 2.

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

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

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

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

Footpath Societies have been consulted and;

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

Landowners - the applicant is the only affected landowner.

Recommendation(s):

It is recommended that:

- (1) the Council make a Cycle Track Order for the conversion of Footpaths 53 & 54 Chadderton into a cycle track under Section 3 of the Cycle Tracks Act 1984 as detailed in the report and
- (2) officers be authorised to carry out the necessary procedures with a view to confirming the Order in the event that no objections are made to the Order, including the making of a Definitive Map and Statement Modification Order under Section 53A of the Wildlife and Countryside Act 1981 to remove the footpaths from the Definitive Map and Statement.

Implications:

What are the financial implications?

The cost for the Traffic Regulation Order to convert Footpaths 53 & 54 Chadderton into a cycle track are detailed below:

	£
Advertisement of Order	1,200
Officer time	1,200

TOTAL	2,400
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The advertising costs will be funded from the Highway Operations budget.

The officer costs will be funded from the 'MCF T6 - Chadderton Pedestrian & Cycle Access improvements' scheme within the Transport Capital Programme.

A previous report was approved for the delivery of these works.

(John Edisbury)

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

Section 3 of the Cycle Tracks Act 1984 allows the highway authority by a cycle track order to designate a footpath or any part of it as a cycle track, with the effect that on such date as the order takes effect, the footpath to which the order relates shall become an adopted highway and over which the public have a right of way on pedal cycles (other than pedal cycles which are motor vehicles) and a right of way on foot. The Cycle Tracks Regulations 1984 set out the procedure to be followed to make a cycle track order. A cycle track is not a category of public right of way which must be recorded on the Council's Definitive Map and Statement of public rights of way. Therefore if the existing footpaths are converted to cycle tracks they must be removed from the Council's Definitive Map and Statement. (A Evans)

What are the **procurement** implications?

None

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

None

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

None

*What are the **property** implications*

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

Risks:

None

Co-operative agenda

Proposals to implement definitive a cycle track on footpaths 53 & 54 Chadderton will improve travel connectivity between local schools, public

transport and encourage more residents to cycle and be more physically active. Improving the health and wellbeing of residents is a key corporate priority for the Council. (Mahmuda Khanom)

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

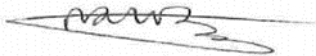
<p>Schedule 1 – Description of Proposed Cycle Track – Drawing 764/A4/237/1</p>	<p>Commencing at point E (GR SD90484 04534) off Denton Lane proceeding in a northerly direction along Crawley Way for a distance of approx. 230m to point A (GR SD90447 04761) then proceeds north east then north west following Crawley Way for a distance of approx. 26m to Ulverston Avenue at point B (GR SD90441 04781). Continue across cul-de-sac end of Ulverston Ave in a Northerly direction to existing FP54 Chadderton commencing at point C (GR SD90438 04795) proceeding in a north easterly direction through Crossley Playing Fields for a distance of approx. 349m to point D (GR SD90562 05119) then proceeds north west for a distance of approx. 44m to terminate at Queens Road at point F (GR SD90558 05154).</p>
<p>Schedule 2 – Current Definitive Statement</p>	<p>See below table.</p>

District and page number	Page Number	Status	Length (m)	Description	Comments
Chadderton Footpath 53	10	Footpath	257	From Path No.52 to Denton Lane	
Chadderton Footpath 54	5-10	Footpath	418	From Throstle Walk to Dairy Street	

There are no background papers for this report

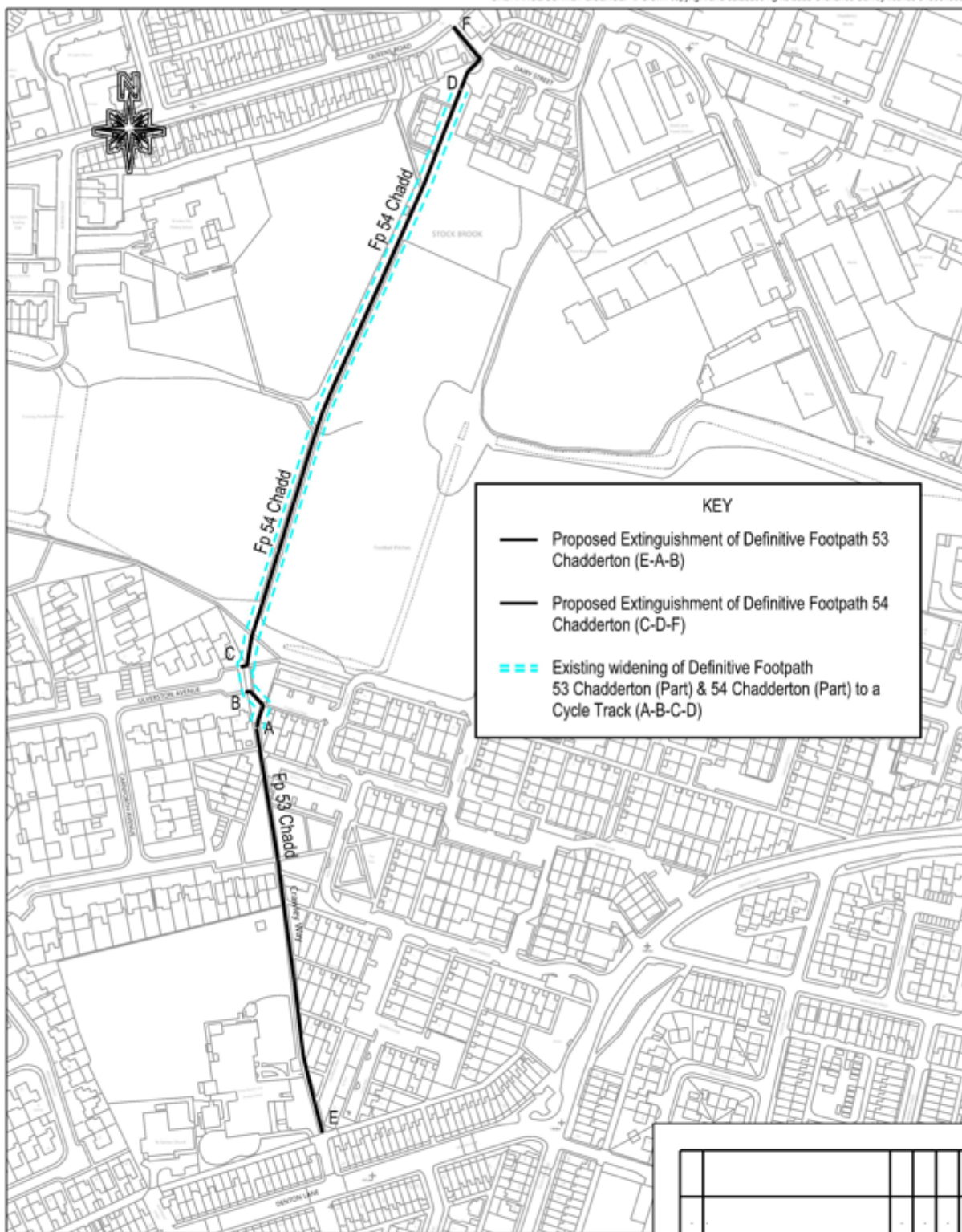
Report Author Sign-off:	
Liam Kennedy	
Date: 5 July 2023	

In consultation with Director



Signed :

Date: 10.07.2023



KEY

- Proposed Extinguishment of Definitive Footpath 53 Chadderton (E-A-B)
- Proposed Extinguishment of Definitive Footpath 54 Chadderton (C-D-F)
- === Existing widening of Definitive Footpath 53 Chadderton (Part) & 54 Chadderton (Part) to a Cycle Track (A-B-C-D)

Rev	Revision details	By	Chk	App	Date

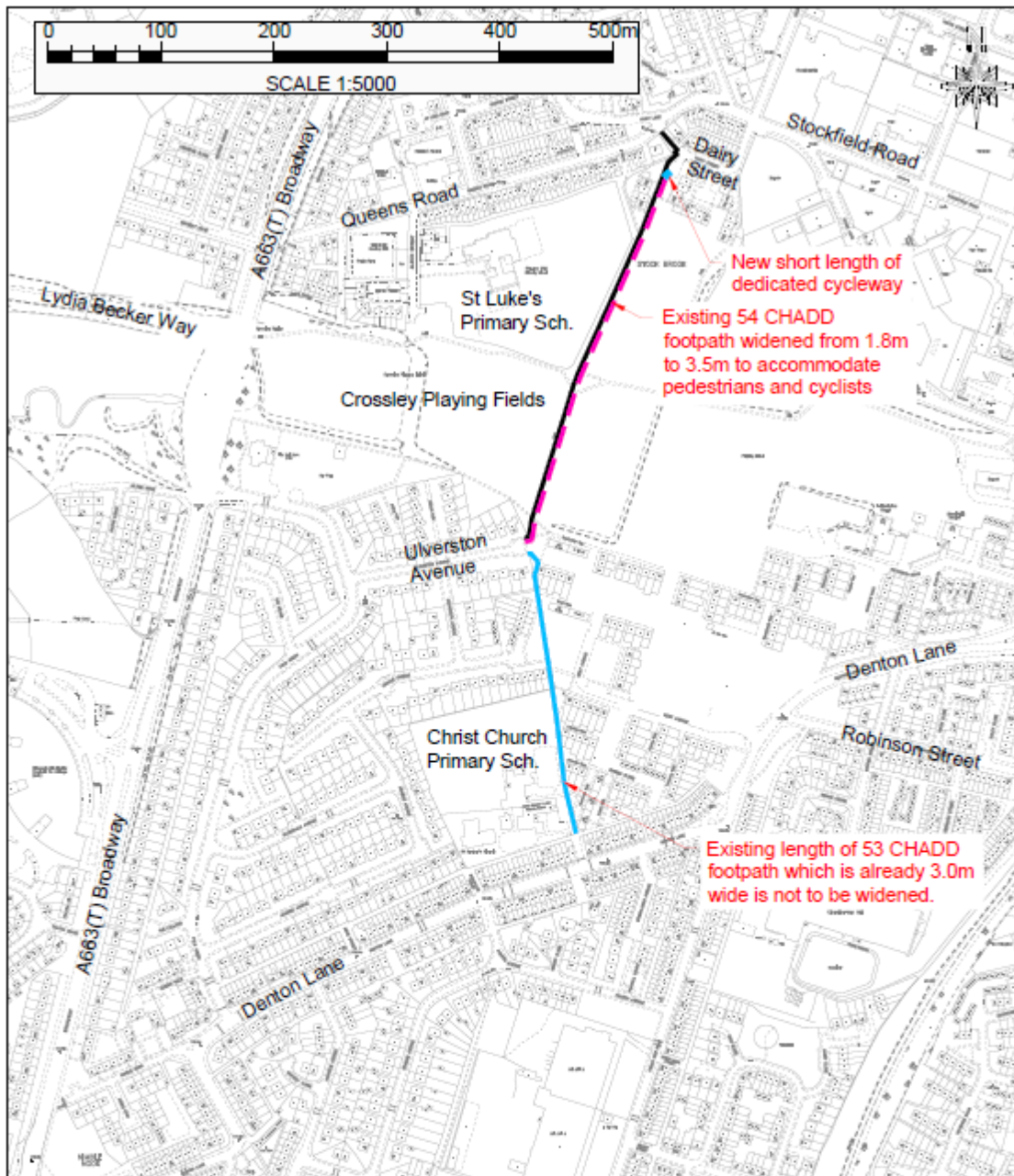


Oldham Council

Client		Oldham MBC	
Project			
Crossley Playing Fields & Crawley Way, Chadderton			
Drawn by	Date	Purpose of issue	
RW	02/23	information	
Checked by	Date	Scale at A4 size	
LK	02/23	1:3000	
Approved by	Date		

Title	
Conversion of Public Footpath 53 Chadderton (Part) & 54 Chadderton (Part) to a Cycle Track	
Drawing No.	Rev.
764/A4/237/1	

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



KEY

- Existing PROW 54 CHADD
- Footway widened by 1.7m forming a shared footway and cycleway of 3.5m width
- Existing PROW 53 CHADD

A	Amendments	SC	SH	0523
Rev	Revision details	By	Chk	App



Oldham Council

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

Client		Oldham Council	
Project		MCF Chadderton Broadway to Freehold Tram Stop	
Drawn by	Date	Purpose of issue	
SC	7-2-2023	Information	
Checked by	Date	Scale at A4 size	
SH	7-2-2023	1:5000	
Approved by	Date		
SH	7-2-2023		

Widening of Public Right of Way 54 CHADD	
Drawing No.	Rev.
N0210130-100-A-450	A

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