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HIGHWAY REGULATION COMMITTEE Regulatory Committee

18/07/2024 at 5.30 pm

Present: Councillors Chowhan, Davis, Kenyon, Shuttleworth
(Chair) and Woodvine

Also Present: Rhys Attwell - Constiutional Services
Phil Bonworth - Operations Manager for Oldham
Community Safety Services
Andy Cowell - Traffic Engineer
Alan Evans - Group Solicitor
Liam Kennedy - PRow Officer
Lorraine Kenny - Head of Community Safety

Note:

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **URGENT BUSINESS**

Cllr Kenyon raised concerns about the appointment of the Vice Chair.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There was no Public questions received.

5 **MINUTES OF PREVIOUS MEETING**

Minutes from the meeting of the 13th June 2024 to follow.

6 **REPORT ON PUBLIC SPACES PROTECTION ORDERS
180724**

The Panel considered a report considering objections and matters relating to three gating schemes following a consultation exercise to renew and/or reintroduce a number of Public Spaces Protection Orders across the Borough.

In relation to proposed Scheme 12/20 relating to Hampton Road and Roman Road Failsworth it was noted by the Panel that during the statutory consultation exercise there was an objection received that related to a resident having accessibility issues due to the disability of a family member who lives in one of the properties. Subsequently after a further consultation, there had been objections from a second resident from a different household who had experienced difficulties with the gate due to

a disability. The report proposed that the gates currently in place be removed but further objections from residents to their proposed removal had been received.

It was reported that with amendments to the wording of the proposed Public Spaces Protection Order it would be possible to retain the gates in place.

Members of the Panel were informed that the gates had been operated by the Council's First Response Team, who ensured the gates in the morning and locked them in the evening. However, this arrangement could not continue in future.

In response to the Panel's questions over who would be given access to the gate, it was confirmed that residents of the four properties would all receive a key.

In relation to proposed Scheme 51/20 relating to Retford Street and Waterloo Street, Oldham, objections had been received from local residents. In response to the objections a discussion took place amongst Panel Members and Officers on which gates were required to secure the school premises at the location and also maintain rights of access for local businesses. It was reported that if no decision was made on the proposal, the existing gates would have to be removed.

In relation to proposed Scheme 75/20 relating to 1-27 Lynton Avenue, 706-710 Hollins Road and 171-207 Chapel Road, Oldham Panel Members were informed that the property at 710 Hollins Road was now divided into two premises, with 710B Hollins Road having a single access and egress point situated within the gated area. Under section 64(5) of the Anti-Social Behaviour, Crime and Policing Act 2014, a public spaces protection order was not permitted to restrict the public right of way over a highway that was the only or principal means of access to a dwelling. Therefore the proposed Scheme would have to exclude several properties to comply with the Act.

RESOLVED: That:

1. In relation to Scheme 12/20, a Public Spaces Protection Order be made as originally proposed with the following amendments: in Article 3 no person shall be entitled to use the public right of way, in Article 4 the gates shall be kept locked between 8 pm and 7.30 am, in Article 5 any person using the gates between 8 pm and 7.30 am shall ensure that the gates are closed and locked immediately after they are used and Article 14 shall not refer to breach of Article 3 being an offence.
2. Scheme 75/20 be included in the proposed South District Public Spaces Protection Order with the relocation of the gate from position A adjacent to 710 Hollins Road to position B at the rear of 203-205 Chapel Road, thereby excluding

710/710B Hollins Road and 205, 207 and 207A Chapel Road from the scheme.

3. 5 District Public Spaces Protection Orders be made for all the remaining schemes which received no objections.

NOTE: In relation to Scheme 51/20 and objector addressed the Panel and no decision was made in respect of the proposal.

7

APPLICATION FOR RAIL CROSSING EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER – DEFINITIVE FOOTPATH 209 SADDLEWORTH (PART), AT MOORGATE HALT, UPPERMILL

Panel Members considered an application from Network Rail for the extinguishment of part of Footpath 209 Saddleworth as a result of the Transpennine Route (TRU) Upgrade Project at Moorgate Halt, Uppermill.

The Panel were informed that the TRU Upgrade Project will electrify and re-signal the railway at Moorgate Halt, Uppermill, where there is currently an unprotected 'passive' crossing.

The crossing receives an exceedingly high volume of usage. The most recent 9-day census recorded 434 movements over the crossing in 11 days, and a high proportion of this use was by vulnerable users.

The Panel discussed the safety concerns of removing a level crossing and the historical local importance of an estimated 175-year-old level crossing.

The Panel discussed the need for Network Rail to have an alternative in place to compensate for the loss of a level crossing.

Options Considered:

Option 1: To approve the application to make a Rail Crossing Extinguishment and Definitive Map and Statement Modification Order in respect of Footpath 209 Saddleworth at Moorgate Halt, Uppermill as requested by Network Rail.

Option 2: Not to approve the application.

RESOLVED: That the application to make a Rail Crossing Extinguishment and Definitive Map and Statement Modification Order in respect of Footpath 209 Saddleworth at Moorgate Halt, Uppermill be refused.

NOTE: A representative of Network Rail, an objector and a Parish Councillor addressed the Panel on the application and the Chair requested that his abstention on the vote be recorded.

8

OBJECTIONS TO PROPOSED PROHIBITION OF WAITING – COVERHILL ROAD, GROTTON

The Panel Considered a report recommending the introduction of prohibition of waiting restrictions on Coverhill Road and

Chimes Court, Grotton. The proposal was approved under delegated powers on 22 December 2023 and subsequently advertised and four objections were received.

The Panel were informed that there had been objections relating to the issue of displacement in parking on Coverhill Road, which would have an effect on parking on to Chimes Court, or further south on Coverhill Road, with the possibility of causing problems for residents in these areas.

Officers noted that there may be displacement. However, the length of the proposed restrictions was the minimum considered necessary to address the safety issues identified and to protect other parts of Coverhill Road that may be affected by any displacement from the main area of concern.

Options considered:

Option 1: Introduce the proposed restrictions as advertised.

Option 2. Do not introduce the proposed restrictions.

RESOLVED: That the proposed restrictions as originally advertised be introduced.

9

OBJECTIONS TO PROPOSED PROHIBITION OF WAITING – ALDER ROAD, CLOUGH ROAD AND HIBBERT CRESCENT, FAILSWORTH

The Panel considered a report which recommended the introduction of prohibition of waiting restrictions on Alder Road, Hibbert Crescent and Clough Road, Failsworth, which had been approved under delegated powers on 22 December 2023. The proposal was subsequently advertised, and three letters of objection have been received.

The Panel were informed that objections received had stated there was limited amount of on-street parking in the area and the proposed restrictions would result in some residents having to park a distance away from their properties. The objections related to the east side of Alder Road and the south side of Clough Road where there were a number of flats. Some residents were elderly with mobility problems so the restrictions would affect them, including visiting carers.

It was noted by Officers that the proposed restrictions would reduce the number of on-street parking options for residents of the flats and the reduction to the length of the restrictions on the east side of Alder Road and on the south side of Clough Road which would maintain an estimated 4 spaces was proposed.

In response to questions asked by the Panel it was confirmed that layby outside the shops would not be affected by any recommendations, and parking would still be present.

Options Considered:

Option 1: Introduce the proposed restrictions as advertised.

Option 2. Introduce the amended proposal as shown on the plan in Appendix C of the report.

Option 3. Do not introduce the proposed restrictions.

RESOLVED: that the amended proposals as shown on the plan in Appendix C to the report be introduced.

10

OBJECTIONS TO PROPOSED PROHIBITION OF WAITING – SANDY LANE, DOBCROSS

The Panel Considered a report recommending the introduction of prohibition of waiting restrictions on Sandy Lane, Dobcross, which had been approved under delegated powers on 22 December 2023. The proposal was subsequently advertised and thirteen objections and one supporting letter were received. Three out of the thirteen objections were from members of the public not local to the area, who supported the comments of one of the objectors.

The objections were that there was a limited amount of on-street parking in the area and the proposed restrictions would result in some residents and customers and staff of the pub having no convenient place to park.

Officers recognised that the proposed restrictions would reduce the number of on-street parking options in Dobcross. However, the length of the proposed restrictions was the minimum necessary to address the access issues identified.

The Panel discussed the use of farm vehicles using the lane, and how bus services are unable to operate and the need to relax the proposals.

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 officers report to a future meeting of the Panel on the possibility of relaxing the proposals.

NOTE: An objector and a Parish Councillor addressed the Panel on the application

The meeting started at 17:30pm and ended at 19:12pm.

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