

Report to the Cabinet

Meeting to be held on Thursday, 10 June 2021

Report of the Head of Service - Highways

Part I

Electoral Division affected:
Pendle Rural;

Lancashire County Council (Bent Lane, Colne, Pendle Borough) (Revocation and Prohibition of Waiting) Order 202*

(Appendices 'A' to 'C' refer)

Contact for further information:

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Executive Summary

Following investigations and formal public consultation it is proposed to make a Traffic Regulation Order to introduce a Prohibition of Waiting (double yellow lines) on Bent Lane, Colne to remove obstructive parking which could impede emergency access to the primary school.

Recommendation

Cabinet is asked to approve the making of the Traffic Regulation Order as detailed in this report and as set out in the Notice of Proposal, Plan and Statement of Reasons at Appendices 'A' to 'C'.

Background and Advice

The developers of the new extension to the primary school raised concerns in relation to access to the grounds during emergency situations. The Fire and Rescue Service is required to issue a fire safety certificate to the school which can only be done when clear access can be maintained at all times. Therefore, an extension to the current restrictions was formally advertised. These restrictions will improve safety on the highway for all users.

Consultations

Formal consultation was carried out between 16 October 2020 and 13 November 2020 and advertised in the local press. Notices were also displayed on site. Divisional county councillors were also consulted along with the council's usual consultees and the consultation documents posted on the council's website.

The proposal is in a narrow, quiet residential lane with very low numbers of non-residential through traffic and a school that remained open during the lockdown. Therefore, it is considered that people most affected by the proposal have been present to see the site notices and that there is a negligible risk connected to the COVID-19 restrictions which would have compromised the advertisement of these measures.

Objections to the Proposal

During the consultation period two objections were received from residents of Bent Lane on the following grounds:

The objectors state that Bent Lane is a quiet residential lane which is already restricted due to the narrowing of the lane at the top and they believe that the introduction of the proposals will remove current available on street parking that is needed. It is stated that the on-street parking is utilised by visitors to the properties for family gatherings and most older people use this area immediately outside the properties to frequent the church when in operation and for funerals, etc.

The objections are on the following grounds:

- Whilst the residents do suffer with bad parking and abandonment of parents' vehicles visiting the school this is only during school operation times and therefore the restriction should only be 08:00hrs to 18:00hrs.
- The main issue is during school hours and the impact that the high volume of traffic brings. It is stated that outside of school hours there is little traffic, with local community and church members having consideration for local residents causing very little issues.
- The current Prohibition of Waiting at Any Time (double yellow lines) on the lower half of the lane has no effect as parents have no consideration for residents, the objector therefore believes that the council is wasting time and taxpayer's money with this proposal as this will not resolve the issue.

After communication with the objectors they have confirmed that whilst they understand the requirement for emergency vehicles and completely endorse that requirement, they uphold their objections on the following grounds:

- The planning permission and building control should have considered the access issue prior to granting the building permission.
- The residents were never consulted on the impact issues and, subsequently, the access issues.
- The school has been operational for the last couple of years so should have the certificate.

The objectors believe that the requirement for emergency vehicles to gain access 24/7 does not hold water, stating that the Fire and Rescue services save lives and not buildings, therefore as the primary school does not adjoin any other there is little or no risk to any other property. It is stated that the school is equipped with a fire

alarm and monitored security systems and therefore any smoke detection will be signalled in the first instance for early response.

It is felt that the greater problem impinging a clear passage is the issue of double-parked cars on the slip road blocking the entrance to the junior building, during school days in the early morning to late evening which in itself would impact greatly on a speed response by an emergency vehicle. As the main issues are only during school hours the objectors have stated that they would only support parking restrictions during the school operating hours but not beyond that.

Officers Response

The requirement for emergency vehicles to gain access at all times is a stipulation of the Fire Safety certificate to be issued. Although the building is not occupied at all times, it will still be a potential hazard if there was to be a fire or a break in requiring the attendance of the emergency services. Consequently, if a fire was to occur, the emergency response would be immediate however accessing the property may become obstructed if parked vehicles are blocking the entrance. Therefore, clear access should be maintained at all times. In terms of there being no adjoining buildings, notwithstanding the position above as to the need for access to be maintained, there is a significant amount of foliage in the area, which could present a catalyst for the fire spreading and in turn damage other properties/areas in the vicinity.

The suggestion of restrictions during school operating hours is not suitable, as it would not allow for clear access to the building at all times. The proposal of amending the lines to time restricted waiting would not be compliant with the Fire and Rescue Service Certificate required for the school to be operational.

Lancashire County Council does not look to disturb residential parking and tries to limit removing this where applicable, however the council is not obliged to provide ample highway parking for home owners. Residents do have off street parking along with additional parking for the remaining length of Bent Lane. This restriction is an extension to the current restrictions, and protects the entrance to the school, with it covering an additional 17 metres, potentially removing parking for 3 cars.

Implications:

This item has the following implications, as indicated:

Financial

The costs of the Traffic Regulation Order will be funded from the 2021/22 highways budget for new signs and lines at an estimated cost of £10,000.

Risk management

Road safety may be compromised should the proposed restrictions not be approved.

Legal

The council has a duty pursuant to section 122 of the Road Traffic Regulation Act 1984 to exercise its functions as to the making of Traffic Regulation Orders in order to secure the expeditious, convenient and safe movement of vehicular and other traffic and the provision of suitable and adequate parking facilities on and off the highway insofar as it is practicable to do so, having regard to, among other things, the desirability of securing and maintaining reasonable access to premises.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A