

Report to the Cabinet

Meeting to be held on Thursday, 3 March 2022

Report of the Head of Service - Highways

Part I

Electoral Division affected:
Lancaster Rural North;

Corporate Priorities:
Supporting economic growth;

Proposed Prohibition of Pedestrians, Equestrians, Cycles and Horse drawn vehicles, B6601 Leapers Wood Road and B6601 Roundabout (M6 Junction 35), Over Kellett.

(Appendices 'A' - 'B' refer)

Contact for further information:

Ray Bennett, Tel: (01772) 531182, Highways Development Control,
ray.bennett@lancashire.gov.uk

Brief Summary

This report sets out Traffic Regulation Order proposals to introduce a 40mph speed limit, prohibition of Stopping and Prohibition of Pedestrians, Equestrians, Cycles and Horse Drawn Vehicles, along the B6601 Leapers Wood Road and B6601 Roundabout (M6 Junction 35), detailing one unresolved objection.

Recommendation

Cabinet is asked to approve the Traffic Regulation Orders as advertised and confirm sealing of the associated Orders.

Detail

Lancaster City Council's Planning Committee approved a planning application (17/01133/FUL) on 9 May 2018 to develop land adjacent to the A601(M) south of Junction 35 near Carnforth for a car showroom, with vehicular access taken directly from the then A601(M) approximately 160m north of B6254 Kellett Road.

The section of the A601(M) between the B6254 Kellett Road and the M6 Junction 35 roundabout, including the roundabout itself, were at the time designated special roads and covered by motorway regulations.

To facilitate safe access to the approved development it was necessary to remove motorway status and implement a lower speed limit, which required the revocation of the special road status of that part of the A601(M) and Junction 35 roundabout.

Cabinet approved this proposal on 3 December 2018 and the special road status of the A601m between the B6254 Kellet Road and the M6 Junction 35 roundabout, including Junction 35 roundabout was revoked by the Secretary of State for Transport on 4 March 2020.

The road has subsequently been redesignated as the B6601 and given the name Leapers Wood Road and the car showroom development has been constructed and its access named Electric Drive.

Only vehicular traffic accesses the development (Electric Drive) via B6601 Leapers Wood Road. A separate street lit access specifically for pedestrians and cyclists, provided as a condition of planning approval for the site, serves the development directly from B6254 Kellett Road. This runs parallel to B6601 Leapers Wood Road, (site layout plan attached at Appendix 'A' refers).

B6601 Leapers Wood Road has no specific pedestrian or cyclist facilities. Beyond Electric Drive there is no connectivity via B6601 Leapers Wood Road to routes (pedestrian, cycle or vehicular) other than the motorway network, being the M6 and the remaining section of the A601(M) which connects M6 junction 35 to the A6 Scotland Road.

There is no need for pedestrian or cycle traffic to travel along B6601 Leapers Wood Road as Electric Drive is served by the route provided as part of the development from B6254 Kellett Road.

Officers consider it necessary in the interests of highway safety at this time to reintroduce restrictions normally associated with motorway status, limiting access to vehicle classes suitable for accessing motorway network to avoid unnecessary vehicle movements along B6601 Leapers Wood Road and discourage access to the motorway network by inappropriate users.

As such temporary restrictions were introduced to limit the road use to appropriate vehicle classes in addition to a reduced 40mph speed limit and restrictions on stopping along the length of the road.

Three permanent Orders covering the same restrictions have subsequently been advertised with one objection being received to one of the three Orders as detailed below, being the prohibition of Pedestrians, Equestrians, Cycles and Horse Drawn Vehicles, (prohibition order plan attached at Appendix 'B' refers).

It is proposed that the prohibition of Pedestrians, Equestrians, Cycles and Horse Drawn Vehicles will be examined with a view to revoking the order (if implemented) at an appropriate point in the future should the remaining section of the A601(M) have its special road status removed.

National Highways (formerly Highways England) which is the Highway Authority for the M6 fully endorses the proposal to restrict access to appropriate vehicles only via B6601 Leapers Wood Road.

Currently the northerly section of A601(M) remains subject to motorway restrictions and there is no guarantee that they will be removed. As such it is Officers' advice that the objection received to the Prohibition of Pedestrians, Equestrians, Cycles and Horse Drawn Vehicle Order does not raise sufficient concerns so as to not make the Order. As such it is recommended that Cabinet approves the sealing of all three Orders as advertised.

Consultations

On 5 August 2021 three sperate road Traffic Regulation Orders were advertised for a 4-week period until 2 September 2021 in connection with B6601 Leapers Wood Road: -

1. B6601 Roundabout and Leapers Wood Road, Over Kellett, Lancaster, 40mph Speed Limit Order.
2. B6601 Roundabout and Leapers Wood Road, Over Kellett, Lancaster, Prohibition of Stopping Order.
3. B6601 Roundabout and Leapers Wood Road, Over Kellett, Lancaster Prohibition of Pedestrians, Equestrians, Cycles and Horse Drawn Vehicle Order.

The county council received no objection to either proposal 1, the 40mph speed limit, nor proposal 2, the prohibition of stopping order.

However, the county council has received one objection to proposal 3, the prohibition of Pedestrians, Equestrians, Cycles and Horse Drawn Vehicle Order.

This is detailed below: -

Objection

"I wish to object to the proposed permanent ban on non-motorised traffic on the B6601.

This road has been demoted from motorway status to allow development, e.g. of a Porsche centre. This road is the only road to access said site.

As far as I can tell, not being able to visit the site in person until after your response deadline, this proposed TRO makes the site completely inaccessible to those classes of traffic, which is fundamentally at odds with your responsibilities as a Highways Authority.

The reason given of "avoiding danger" is quite laughable given that this is a mere single carriageway B road, when a few miles away you have dual carriageways like the A683 that are entirely legal to cycle on (and seem to lack reasonable alternatives). The only way to completely eliminate road danger is to close every road."

In response, Officers contacted the Objector and confirmed that the premises and site accessed via Leapers Wood Road, known as Electric Drive, has a separate illuminated pedestrian and cycle access running parallel to B6601 Leapers Wood Road which connects to B6254 Kellett Road. As such the site is fully accessible via sustainable modes such as walking and cycling and there is no need for cyclists to travel along Leapers Wood Road to access the site. There is no footway adjacent to Leapers Wood Road itself, which of course was formally motorway, for pedestrians to use.

Officers also confirmed that beyond Electric Drive the carriageway of Leapers Wood Road leads directly to the existing motorway network of the M6 and A601M only. The road does not connect to any non-motorway routes at this time. As rightly pointed out previously the road was part of the A601M route, and the road has now been reclassified to the B6601. Following reclassification restrictions pertaining to motorway use were lost. However, in the interests of highway safety it remains necessary to re-introduce those restrictions through the legal orders advertised to ensure access to the motorway network continues to be restricted to the appropriate vehicle classes only.

Subsequently the Objector reaffirmed their objection: -

"It has come to my attention that Lancashire County Council is potentially looking to remove the special road status of the remainder of the A601(M).

<https://www.lancs.live/news/lancashire-news/m6-link-road-carnforth-change-22040846>

If this is indeed the case, then one of the bases for restrictions that you cite, restricting access to the motorway network, will (no) longer hold true, and would offer a potentially useful bypass of Carnforth.

Even if motorway restrictions were to remain in place, there is a similar layout in Leicester, at the junction of the M1, M69, and A5460, where the only legal route for NMUs is to circle around the roundabout and back up the A5460. I'd have thought that the signs indicating the start of motorway restrictions would be effective enough at keeping NMUs off the network.

Consequently, at the current time I still do object to the proposal. If the remaining section of the A601(M) were certainly to remain a motorway, then I would have no objection to the restrictions, although I wouldn't see them as necessary either. However, with the fate of that road in question, I see harm in restrictions being imposed should the road cease to be a special road. On the contrary, I don't see any real harm arising from the absence of restrictions while the A601(M) remains a motorway - perhaps a few cyclists going around the roundabout, rather than trying to turn right out of the business park. But if the non-motorised access is of the quality you indicate, I don't see why a cyclist who wasn't lost would choose to go that way anyway, so I suspect this is an academic issue.

I certainly don't want to see restrictions imposed on the current A601(M) if it ceases to be a special road, merely on the basis that it leads to only the M6

and the B6601 that prohibits pedestrians and cyclists. I'd ask that the future status of the A601(M) be determined, and then the former/current A601(M) considered holistically.

In the interim I wouldn't object to the renewal of temporary traffic orders as are currently imposed."

In response Officers contacted the Objector and confirmed that the prohibition orders objected to were formed and advertised prior to the separate considerations of the northerly section of the A601(M) taking place.

Implications:

This item has the following implications, as indicated:

Risk management

Currently there are no legal orders regulating the use of the B6601 Leapers Wood Road in accessing the motorway network (M6/A601(M)). Although signage is in place, following the implementation of now expired temporary orders, these are unenforceable. As such non-motorised traffic, inclusive of pedestrians, can legally traverse the road towards motorway which is considered a safety concern. Likewise, until sealed the advertised 40mph speed limit is unenforceable as is the no stopping at any time order.

Financial

All costs associated with the implementation of the three Traffic Regulations Orders are being borne by the developer linked with planning application 17/01133/FUL under the terms of a Section 278 (Highways Act) agreement with the Highway Authority.

Legal

The alternative pedestrian/cycle route is private and has not been dedicated as highway.

List of Background Papers

Paper	Date	Contact/Tel
-------	------	-------------

None		
------	--	--

Reason for inclusion in Part II, if appropriate		
-------------------------------------------------	--	--

N/A		
-----	--	--