

## Report to the Cabinet

Meeting to be held on Thursday, 11th July 2024

### Report of the Director of Highways and Transport

#### Part I

Electoral Division affected:  
Penwortham West;

**Corporate Priorities:**  
Delivering better services;

### Provision of Bus Stop Clearways, Liverpool Road, Penwortham

(Appendices 'A' - 'C' refer)

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#### Brief Summary

Following requests received from local bus users, a bus operator and a divisional county councillor, the Public Transport team has identified a need to install bus stop clearway markings at both bus stops located on Liverpool Road, opposite and adjacent to Crookings Lane, Penwortham.

This report summarises the results of the consultation on the proposed bus stop clearways to which objections have been received.

#### Recommendation

Cabinet is asked to approve the installation of both bus stop clearways located on Liverpool Road, opposite and adjacent to Crookings Lane, Penwortham as set out in the report and at Appendices 'A' - 'C'.

#### Detail

After requests from the local bus operator, users and a divisional county councillor, the Public Transport team has identified the need to install two bus stop clearway markings at both bus stops located on Liverpool Road, opposite and adjacent to Crookings Lane, Penwortham.



The bus stops are currently identified by a bus stop plate on a lamp column and a bus shelter opposite, (Appendix 'A' refers). Previously, the Southbound bus stop had been positioned closer to the nearby takeaway. However, it had been brought to the Public Transport team's attention on multiple occasions that the carriageway where buses needed to stop for passengers to alight and be set down was inaccessible because of parked vehicles. It is considered that it is necessary to relocate the southbound bus stop to an area with a straight section of kerb line away from business and residential property accesses.

In areas with multiple amenities and frequent bus services, bus stop clearways can be used to reduce the occurrence of parking at bus stops. Their use contributes to the objective of encouraging bus travel. Installation of bus stop clearways provides safer access, particularly for those with mobility difficulties, to bus services whilst also minimising the impact on the active carriageway.

The divisional county councillor is supportive for the bus stop areas to be reviewed and has the support from both bus operators and local residents, and it is therefore recommended that bus stop clearways are installed at both locations as advertised.

The relocation of the bus stop from its original position had been reflected in consultation with the bus operator, key stakeholders and Lancashire County Council's Highways Service. This considers convenience for potential passengers, suitability of footway, highway safety, current guidance, recommendations and the needs of other road users and residents.

The proposal is for the installation of 2 bus stop clearway markings:

- Crookings Lane (opposite) - 19m total length bus stop clearway with a double 'H-Bar' 5m in length to maintain access to properties at Numbers 99 and 97, (Appendix 'B' refers)
- Crookings Lane (adjacent to) - 27m total length bus stop clearway (Appendix 'C' refers)

## Appendices

Appendices 'A' -'C' are attached to this report. For clarification, they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Current bus stop location map
Appendix 'B'	Proposed bus stop clearway markings opposite Crookings Lane
Appendix 'C'	Proposed bus stop clearway markings adjacent to Crookings Lane

## Consultations

Formal consultation was undertaken in March 2024, including the affected frontage properties.



## Responses

The local bus operator has agreed to serve the bus stop and has no objections to the proposal.

The Lancashire County Council Highways Traffic Safety Officer for the area has deemed the bus stop location as a safer option than alternatives previously proposed.

As part of the consultation, the proposed scheme received responses from 3 objectors.

The points raised by the objectors are summarised under the following headings with officer responses:

### 1. Road Safety Concerns

- The obstruction of a major junction onto Crookings Lane, clear sightlines and pedestrian safety will be compromised.

In response, there have been no recorded incidents at this location since the bus stop plate was installed here. A comprehensive review of location options for the bus stop has been undertaken by the highways safety team. The proposed location has been assessed by a Traffic Safety Officer in the county council's Highways Service who has deemed it as the safer option. Waiting buses are regarded to be infrequent as demonstrated by the successful operation of the site as a bus stop over several months.

### 2. Residential Impact/Privacy

- Complete loss of privacy at our residential dwellings, resulting in the need to improve security such as boundary wall adaptations and/or fences.

In response, the bus would only be serving the stop briefly and only when required should a passenger request it. The residential property behind is positioned adjacent to the bus stop and is not in direct line of sight for bus users. Privacy is maintained by tall hedgerows and shrubbery behind the bus stop.

### 3. Impact on property value

- Local estate agents have estimated that the reduction in value of our property due to the relocation of the Bus Stop, and its infringement on our privacy, is approximately £20,000, and a further devaluation with the installation of the clearway.

Similar concerns have been raised in relation to comparable schemes elsewhere within Lancashire. There is no direct evidence to support the view that these concerns are likely to occur. Whilst this concern is taken into



consideration by the county council, it must be balanced against the rights and interests of the wider community, which is considered to take priority.

#### Noise concerns and antisocial behaviour

- Residents will have to accept anti-social behaviour and increased noise pollution, particularly in the evenings and weekends due to Penwortham's enhanced nightlife.

It is believed that the impact on property frontages on Liverpool Road will not be great. The services operate on roughly 30-minute intervals which would mean that passengers should only be stood at the at the location if waiting for a bus. The Southbound bus stop does not have a shelter and there is no reason to believe that anyone would congregate at it unnecessarily. There are a number of school/college children and young people who catch the bus in the mornings from this location, but it would only be once a day 5 days a week during term times.

#### 4. Parking Concerns

- Parking options are now severely restricted and will be reduced to zero with the introduction of the clearway.

In common law under the Highways Act 1980, the public have the right to pass and repass over the full width of the highway (includes roads, pavements and verges). There is no legal right to park on a road, verge or footway. Whilst parking on the highway is generally permitted, there may be good reasons to restrict it and enabling bus passengers to easily and safely alight and be set down is an example. Furthermore, nearby properties typically have off-street parking for at least one vehicle and alternative unrestricted parking areas can be found on neighbouring side roads.

#### **Implications:**

This item has the following implications, as indicated:

#### **Risk management**

Should a clearway marking not be installed at the Southbound bus stop, vehicles will continue to park within the vicinity of the bus stop causing service buses difficulty in reaching the kerbside. This does have a negative impact on passengers, especially those with mobility issues, and other road users, buses have been reported to stop in the middle of the highway sometimes when not able to access the bus stop, creating additional safety concerns.

#### **Financial**

The total estimated scheme cost is £3,500 which will be funded from existing budgets.



## Legal

If the proposals set out in this report were not agreed, safer access to public transport in this location would not be provided to those with disabilities or mobility issues, and the county council may be in breach of the legislation set out in Sections 149(3)(a) and (b) of the Equality Act 2010, namely, the duty to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic, such as disability, and persons who do not share it. The county council is under a duty to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic, and to take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

## Equality

The proposals will improve the waiting environment for bus passengers and therefore improve accessibility to passenger transport services and opportunities to the community.

## Human Rights

The view has been expressed that the installation of a bus stop/clearway could interfere with residents' Article 8 Convention Rights, namely the right to respect for one's private and family life, contrary to the provisions of the Human Rights Act. There could also be a possibility of infringing the Article 1 (First Protocol) rights of peaceful enjoyment of property, which could extend to the rights of businesses affected. Whilst these rights under the Act are recognised, they need to be balanced against the general rights and interests of the wider community, including the users of public transport. Taking into account all of the relevant factors, these latter rights are considered to prevail.

## List of Background Papers

Paper	Date	Contact/Tel
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None		
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Reason for inclusion in Part II, if appropriate		
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