

# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **REPORT OF THE CORPORATE DIRECTOR - COMMUNITIES**

### **TOWN AND COMMUNITY COUNCIL FORUM**

**MONDAY 12 JANUARY 2015**

#### **UNADOPTED STREETS AND LANES**

##### **1. Purpose of Report**

- 1.1 To advise the current Council Policy for the adoption of Back Lanes and Private Streets.

##### **2. Connection to Corporate Improvement Plan/Other Corporate Priorities**

- 2.1 This report is consistent with the corporate aims as detailed in the Bridgend County Borough Council Corporate Improvement.

##### **3. Background**

- 3.1 The issue of unadopted streets/ back lanes is an historical matter with developers not entering into agreements with local authorities over the future maintenance of streets and access ways, which in some circumstances were to a substandard construction.
- 3.2 This means that if a back lane or street is not adopted then it is the responsibility of the residents / owners to fund the upkeep.
- 3.3 Should they wish an Authority to take on the future liability and maintenance, then they would have to bring the infrastructure up to a level that would meet the requirements of the Highway Authority.
- 3.4 The Highway Authority's principal means of having private streets brought up to a standard is to operate the provisions of the Private Street Works Code, i.e. Sections 203 to 237 of Part XI of the Highways Act 1980.
- 3.5 The Council's Policy with respect to private streets and back lanes was agreed at the Council's Highways, Planning and Transportation Committee of 18<sup>th</sup> September 1996. The Policy relates to 22 private streets and 37 back lanes. However this number is far below the potential extent of private streets that exist within the Borough.

- 3.6 It was resolved by Members that a rolling programme of making-up private streets and back lanes under the Private Street Works Code would be implemented, subject to available funding to cover the Council's contribution to such schemes which was determined to be as follows:

"A 50% contribution be made towards frontage apportionment charges and 75% towards rear and flank frontage apportionment charges on private streets."

"A contribution of 100% be made towards all frontage charges on rear lanes in order to simplify the process of adopting non-maintainable lanes and encourage utilisation of lanes to garage vehicles which will reduce parking on the main highway and increase the level of security for such garaged vehicles"

- 3.7 Furthermore, it was reported to the meeting that the criteria for selecting/prioritising these private streets should be as follows:

1. The number of premises that will benefit from the works.
2. The benefits that will be derived by encouraging householders to utilise a rear lane to garage their vehicles in terms of fewer vehicles parked on the main highway and increased security for vehicles garaged.
3. The length of time the street/lane has been in a non-maintainable condition.
4. Status of main highway to which the private street/lane connects.
5. Whether or not a large portion of the frontage on a particular lane/street is vacant land.
6. The extent of off-site surface water drainage.

#### **4. Current Situation**

- 4.1 Regrettably, the rolling programme of "making-up" private streets and back lanes under the Private Street Works Code is dependent on available budget resources. In subsequent financial years it was not possible to allocate funding and, therefore, further work to prioritise schemes in accordance with the Council's adopted criteria has not as yet been embarked upon by Bridgend County Borough Council. Given the current financial pressures this situation is unlikely to change in the medium term.

- 4.2 Consequently, the private streets will remain the responsibility of the frontagers, i.e. residents etc., until a Private Street Works scheme is completed in accordance with current rules whereupon the street will be adopted as a highway maintainable at the public expense.

**5. Effect upon Policy Framework and Procedure Rules**

5.1 None identified

**6. Equality Impact Assessment**

6.1 None identified

**7. Financial Implications**

7.1 Adoption of private streets is dependent upon funding availability.

**8. Recommendation**

8.1 It is recommended that the contents of this report are noted.

**Mark Shephard**  
**CORPORATE DIRECTOR COMMUNITIES**

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Background documents: None