

ORIGINATING DIVISION: HIGHWAYS AND TRANSPORTATION

REPORT TO: BLACKBURN WITH DARWEN BOROUGH COUNCIL
PLANNING AND HIGHWAYS COMMITTEE

DATE: 18th April 2024

TITLE: Proposed Stopping Up of part Blakey Moor o/s 11-19
to facilitate disabled access ramp provision to new
building

WARD: Blackburn Central **COUNCILLORS:** Samim Desai
Mahfooz Hussain
Zamir Khan

1.0 PURPOSE OF THE REPORT

The purpose of the report is to seek committee approval to progress an Order for the Stopping Up of a small section of highway at Blakey Moor, Blackburn which is required to facilitate disabled access ramp provision to a new building. It is requested that Members authorise the Deputy Director, Legal & Governance to progress the necessary legal order and to apply to the Magistrates' Court to confirm the stopping ups.

2.0 BACKGROUND AND DETAILS

Following damage caused by Storm Gladys, one of the buildings in The Blakey Moor Terrace project, part of the wider Townscape Heritage Project, had to be demolished and is being rebuilt with an improved design.

The original building consisted of five terraced properties that each stepped up the road gradually. As the scheme converted these properties in to one large unit, to address the differing levels the architect reduced the number of steps within the building and adjusted for this externally within the footprint of the original building, which now provides a slightly sunken yard area.

In order to accommodate DDA access to this slightly sunken yard area, the landscaping design needed to incorporate a ramp into it. Whilst other options were considered the most practical solution was to provide this ramp along the frontage of the original building footprint, i.e. encroach into the adopted highway.

In this area of Blakey Moor the adopted footway is some 5.6m wide. In order to incorporate the DDA compliant access ramp and associated steps between 1.8m and 2.2m of this footway is required. Whilst this is undoubtedly a well-used pedestrian route between Blackburn College and the town centre, officers believe, with a 3.6m wide footway still available, that there will be minimal impact on users of the highway.

Indeed, the recent public realm scheme which significantly increased the width of the pavement area, did so with the intention of creating space for outdoor pavement café seating whilst also accommodating the free flow of pedestrians. The closure of this short length of the footway to allow DDA

compliant access to the sunken yard area which is off highway will in fact have much less impact than the envisaged original pavement café.

A plan showing the proposed area to be stopped up is attached to this report.

3.0 LEGAL

The relevant legislation is the Highways Act 1980, Section 116. Under this section power is vested in the Magistrates' Court to authorise a highway to be stopped up if they think that it is unnecessary.

4.0 IMPLICATIONS

Customer	None
Financial	The costs of progressing the order will be met by the relevant project.
Anti-poverty	None
Crime and Disorder	None

5.0 CONSULTATION

All statutory consultation required under S 116 of the Highways Act 1980 will be carried out should members approve to proceed with a stopping up order.

6.0 RECOMMENDATION

It is the officer's recommendation that Committee authorise the Deputy Director of Legal & Governance to progress with the closure of the highways described above and shown on the attached plan and if the Department believes there is a good chance that the application will be successful, to apply to the Magistrates' Court for the necessary Order.

6.0 BACKGROUND PAPERS:	Attached Stopping Up Plan
7.0 CONTACT OFFICERS:	George Bell, Julia Simpson
8.0 DATE PREPARED:	29 th February 2024