

## SUPPLEMENTARY NOTES TO THE MAY 2023 AGENDA:

Correspondence item a)

Response from LCC highways:

To clarify, we visited Mossy Lea Road in order to establish if there was any action we could take, however as the issue relates to pavement parking and/ or obstruction where no parking restrictions exist, we are unable to act.

We are sorry to hear of the difficulties residents are experiencing in respect of the pavement parking, and we appreciate how frustrating this must be. Drivers should be as considerate as possible to other highway users when parking and should take care not to obstruct the footway in such a way as to force pedestrians onto the carriageway.

We would like to have the powers to prevent the type of obstructive pavement parking cited, there are no rules outside London which would allow us to do so. At present, only the Police have the necessary powers to deal with dangerous or obstructive parking of this nature. Whilst this type of inconsiderate parking is often an intermittent issue, the Police can take action to prevent it. As such, we suggest residents report any further instances of obstructive parking to them either by calling their non-emergency number: 101, or via their ' Do It Online' webpage.

---

Correspondence item b)

Response from Police:

Unfortunately the Police do not have any powers to have parking restrictions, such as yellow lines, installed. This would normally be LCC Highways authority. Most parking enforcement powers have also been taken off the Police so we can only issue tickets for parking dangerously and unnecessary obstruction. Although the highway code tells us not to park on the pavement there is actually no legislation that prevents it per se, again the council could apply for a bylaw to be created but as far as I am aware there are currently none in force in and area of Lancashire. In relation to dangerous parking or unnecessary obstruction every case is taken on it's own merits, case law has proven that the threshold or dangerous parking is high and obstruction is somewhat subjective, the general rule we would apply is whether a wheelchair could get past or not.

---

Correspondence item c)

Response from LCC:

The most recent planning permission for the West Quarry site is 8/00/278. I have attached a copy of the approved restoration plan that was attached to that permission. Condition 31 of the planning permission required the site to be restored to an agricultural afteruse. I think it would be difficult to say that the site was not restored in accordance with that condition. The soils were replaced and as far as I am aware the site was seeded and was in a condition where it was capable of some agricultural use. The fact that the site may never have actually been farmed in terms of being used by a farmer is really irrelevant.

The restoration obligations are certainly a lot less than we would be requiring today but they were about par for the course for a permission issued 20 years ago.

Image below:



**LATE ITEMS FOR DISCUSSION ON THE AGENDA:**

**Additional Planning Applications to be discussed and observations submitted following the May Parish Council Meeting:**

Application Number: 2023/0246/FUL

Proposal: Retrospective Retention of widened site access and front boundary walls/gates and increase in width of existing drop crossing

Location: Bow Cottage, Robin Hood Lane, Wrightington.

Application Number: 2023/0305/FUL

Proposal: Proposed Replacement Stable Building and Removal of Storage Containers

Location: Tunley Moss Farmhouse, 10 Tunley Moss, Wrightington.