

COUNCIL MEETING

Wednesday 11 March 2026

AGENDA ITEM 16 – WRITTEN QUESTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 12

1	<p>Question from Councillor Taylor to the Cabinet Member for Highways and Waste – Councillor Hawkins</p> <p>"What action does the Council propose taking to ensure that pupils and parents can safely access Highburton First School, given the poor state of Northfield Lane?"</p> <p><u>Cabinet Member Response</u></p> <p>The Council recognises the concerns about the condition of Northfield Lane and the importance of safe access to Highburton First School. However, the road is unadopted and does not form part of the publicly maintained highway network, meaning the Council is not legally responsible for its maintenance or repairs. That said, the Council will work with the school community, parents, and local members to explore what support or advice can be provided and to help residents understand how maintenance responsibilities for unadopted roads can be managed collectively.</p>
2	<p>Question from Councillor Hall to the Cabinet Member for Communities and Environment – Councillor A U Pinnock</p> <p>"Who is responsible for keeping the Spen Valley Greenway clean, safe and well lit?"</p> <p><u>Cabinet Member Response</u></p> <p>Responsibility for the day-to-day condition of the Spen Valley Greenway sits across a number of organisations and land interests, and there is not a single body with sole responsibility for all aspects of its upkeep.</p> <p>Within Kirklees, the Highways, Greenspace Action Team, Forestry and Grounds Maintenance teams respond to reports and service requests relating to the Greenway where these fall within the Council's remit. This includes issues such as vegetation management, litter, fly-tipping and defects that present an immediate risk to public safety. Requests are prioritised on a risk-based approach, with the greatest emphasis placed on matters that could cause harm to users of the route.</p> <p>The Greenway is not an adopted highway, and as such routine highway-style maintenance and street lighting do not automatically fall to the Council in the same way as adopted roads and footways. Responsibility for lighting, structures and some sections of the route may rest with other landowners or partner</p>

	<p>organisations, depending on the location. Previous correspondence confirms that these routes are not maintained as part of the Highway Service's baseline programmes.</p> <p>Where issues are reported that fall outside the Council's direct responsibilities, officers will seek to identify the appropriate landowner or partner organisation and, where possible, signpost or liaise accordingly. However, the Council does continue to take pragmatic, proportionate action where safety concerns are identified.</p> <p>In summary, while no single organisation is responsible for keeping the Spen Valley Greenway clean, safe and well lit in its entirety, the Council's operational teams remain committed to responding to concerns, prioritising public safety, and working with partners to address issues where responsibilities overlap. The Greenway is under the ownership and maintenance of the Walk, Wheel and Cycle Trust (formerly Sustrans). This includes a recent scheme to upgrade the section of the Greenway from Spen Valley Sports Centre and Tesco in Cleckheaton. The lighting for this scheme is in the process of being completed and commissioned.</p>
3	<p>Question from Councillor Bellamy to the Cabinet Member for Finance and Regeneration – Councillor Turner</p> <p>"Where a long-term vacant commercial or industrial site is located within or adjacent to a residential community, will the Cabinet Member outline what steps the Council takes to ensure the site remains safe, secure and does not pose a risk to neighbouring residents?"</p> <p><u>Cabinet Member Response</u></p> <p>Vacant site safety is the responsibility of the landowner and the law is clear the responsibility to maintain fencing and restrict access rests with the landowner. If the public have concerns over dangerous structures which could pose a risk to health and safety the Council under its building control functions can investigate and require landowners to ensure they have appropriate fencing and safety features to prevent buildings from collapse onto public areas.</p> <p>If residents have concerns that a building on a site is 'open to access', for example, a door or window is open so the public could or are gaining access and may pose a danger to public health or safety – please contact Environmental Health and we can require the land or building owner to make it secure or the Council can do works in default to secure against entry.</p>

4	<p>Question from Councillor Bellamy to the Cabinet Member for Highways and Waste – Councillor Hawkins</p> <p>"I have recently been contacted by residents who access their homes via an unadopted, privately owned access route and associated parking area which provides the sole vehicular and pedestrian access to their properties.</p> <p>The surface is significantly degraded, with deep potholes, persistent surface water and inadequate lighting, creating safety concerns for pedestrians, vehicles and potentially emergency service access.</p> <p>I understand that, as the land is privately owned and unadopted, primary responsibility rests with the landowner. However, where such an accessway serves multiple residential properties and residents have no alternative means of access, could the Cabinet Member clarify the statutory powers that the Council may have where the condition of an unadopted access route raises potential public safety concerns and what practical steps the Council can take to support residents where engagement with the landowner has not been successful?"</p> <p><u>Cabinet Member Response</u></p> <p>As you note, responsibility for maintenance of unadopted roads rests with the landowner. The Council does have discretionary powers under Section 205 of the Highways Act 1980, which can allow the authority to require frontage owners to undertake works to bring a private street up to adoptable standard. However, this is a complex and lengthy legal process and rarely used in practice. For that reason, such powers are typically only considered in exceptional circumstances following careful assessment of legality, proportionality, public interest and the views of residents.</p>
5	<p>Question from Councillor McCarthy to the Cabinet Member for Highways and Waste – Councillor Hawkins</p> <p>"Many residents have been in touch with us regarding the appalling state of Manchester Road between Linthwaite and Milnsbridge. This is the main arterial road through the Colne Valley, and the frequency and size of potholes across this stretch of road is so great that cars have to swerve to get around them, presenting a real safety risk to motorists and pedestrians. The number of potholes is so great that it is not possible to record them all on the council's online reporting system, as there is a limit to the number of potholes that can be reported in one location, and you cannot report new road defects within a certain radius of an already reported defect.</p> <p>Could the Cabinet Member please outline the steps the council will take to carry out emergency repairs to this section of road, and consider this road for full resurfacing in the upcoming highways capital plan for next year?"</p>

Cabinet Member Response

I share the concerns of yourself, residents and road users regarding the current condition of Manchester Road, and safety remains the Council's priority in managing the highway network.

An inspection took place on Tuesday 17th February and repairs have been actioned and will be completed as soon as possible. Going forward, the road will continue to be monitored through routine safety inspections and repaired through responsive maintenance where defects occur.

Highway investment decisions are made using a borough-wide, evidence-led approach based on inspections, condition surveys, traffic levels, defect reports, and safety data. Capital investment is prioritised across the borough based on condition data, network usage and safety considerations, and Manchester Road will continue to be monitored and assessed as part of the development of future highway maintenance programmes.