

REPORT FROM: PLANNING, BUILDING CONTROL & LICENSING MANAGER

TO: West Craven Area Committee

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Rediffusion Cables

PURPOSE OF REPORT

To inform Committee of the outcome of the recent meeting with engineers and to recommend the course of action to take

RECOMMENDATIONS

That Committee note the issues but do not act further on the matter as the responsibility for removing the cables is that of the individual property owners.

REASONS FOR RECOMMENDATIONS

The responsibility for the cables and the safety of properties lies with individual property owners.

ISSUE

- 1** The issue of the cables has been considered by Committee for some time. On 22nd November 2017 the Planning Manager met with a company who had removed some Rediffusion cables previously but in a location outside of Pendle.
- 2** The company have the ability to remove some of the cables by use of a cherry picker. The cables have tension in them but the advice we have is that they are not tensioned in such a way that would require specialist equipment to be used to take them down. Clearly any removal would need a full risk assessment to be in place before work could take place and temporary road closures would be needed. The initial view is that some elements could be undertaken using a cherry picker.
- 3** The location of the cables and how they have been installed varies as does the length of the cables. Some are small scale and not in places used by the public. Others cross roads but are attached to the rear of buildings making access to them difficult. Some are at high heights out of the reach of cherry pickers. Some cables are located entirely over private properties.
- 4** In a significant amount of the cases that were looked at in the town centre the cherry picker would only be able to reach to the front of buildings. There would be residual amounts of

cabling that would be left over were the cables to be cut at that point. Access to these at their anchor points could only be gained were the buildings themselves to be scaffolded. That would require the owners to erect the scaffolding and allow access to their roofs. Removing the cable accessible at street level would leave sections of cable remaining which would affect buildings and these loose cables would have the potential to cause damage to property and injury to those using the buildings. They would have to be removed at the same time as the cables that could be reached via a cherry picker.

- 5 Some cables are too high to be reached by a cherry picker and scaffolding would be needed to reach those elements.
- 6 Some buildings have other wires that block access by a cherry picker and would require scaffolding on private property to reach them. There are also situations where one part of the cable could be reached by a cherry picker but the majority of the cable is entirely over private properties.

Conclusions

- 7 Pendle has no legal entitlement to arrange or carry out the work to remove the cables which are in private ownership. The removal of cables from private properties is the legal responsibility of the individual owners and if there are concerns about the cables the individual owners should, as any responsible property owner would, arrange to have the cables removed from their property.

IMPLICATIONS

Policy: None

Financial: To implement a full removal programme would involve not only the costs of hiring cherry pickers but would involve erecting scaffolding on private property and require temporary road closures in some cases.

Whilst the associated costs have not been quantified they are likely to be significant and the Council has no funding available for this purpose. When set in the context of the Council's requirement to save £3.8m over the next three years it is recommended that public money should not be used to resolve issues that are entirely the responsibility of individual property owners and for which the Council has no legal obligation to carry out the work.

Legal: There would need to be full agreements with all owners of land to access their property. Were only parts of the cable to be removed that were accessible on public land and there was damage to properties or people resulting from the residual cables remaining there would be claims against the Council. Pendle does not own, control or have any liability for the cables and has no legal right to remove them which would compound any claims made against us. Pendle would also be liable for any damage to properties resulting from any work which we do not have any legal powers to carry out.

Risk Management: The process of removing the cables would involve health and safety issues and a full risk assessment process would need to be undertaken, including ensuring that none of the cables were live.

Health and Safety: The removal of cables involves risks to those carrying out the process and to those in the properties and the public using areas that could be affected by the cables. Those risks would have to be removed before any cable could be removed.

Sustainability: None

Community Safety: None

Equality and Diversity: None