

Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Tuesday, 15th July, 2008.

Present: Cllr Robert Gibson (Chairman), Cllr Julia Cherrett (vice Cllr Alan Lewis), Cllr Maurice Frankland (vice Cllr Mohammed Javed), Cllr Andrew Sherris, Cllr Mick Womphrey (vice Cllr Mrs Mary Womphrey)

Officers: M Gillson, S Lumb (DNS); J Butcher, S Johnson, S Ahmed (LD)

Also in attendance: Mr A Coulthard, Mr R C Coulthard, Mr Brown (Objectors); Mr F Sedgewick, Mr M Homes (Local Residents); Mr Rosser, Mrs Rosser, Mr Smith (Long Newton Parish Council)

Apologies: Cllr Ian Dalgarno, Cllr Mohammed Javed, Cllr Andrew Larkin, Cllr Alan Lewis, Cllr Mrs Mary Womphrey

ACC Declarations of Interest

4/08

There were no declarations of interest.

ACC Procedure

5/08

All those present were informed of the procedure for the meetings of the Appeals and Complaints Committee.

RESOLVED that the procedure be noted.

ACC Long Newton Village, Stockton on Tees - Proposed Traffic Calming Scheme

6/08

Consideration was given to a report that sought the Committee's views on outstanding objections received following statutory advertising of a vertical deflection traffic calming feature at a 'Gateway' proposed at the eastern end of Long Newton village.

At the Committee's meeting on 2 May 2008, Members considered three objections received to a Notice of Works proposing a speed cushion at the eastern end of Long Newton village from Mr A Coulthard, Mr R C Coulthard, both of Smith House Farm, Elton, and Mr and Mrs Brown of Quarry House Farm, Coatham Stob, Elton.

The main grounds for objection in all cases was that it was alleged that the speed cushions provided in Elton Village were causing damage to agricultural vehicles. As the businesses would use the Elton to Long Newton Link Road in preference to the A66 they did not wish to encounter further vertical deflection traffic calming features.

Mr and Mrs Brown also alleged that the current calming gateways in Elton had little effect on traffic speeds.

At the meeting on 2 May 2008 Members resolved that the item be deferred to see whether Officers could find a mutually agreeable solution to the problems faced by the objectors.

The Officer from Traffic and Road Safety provided an update on progress made since the 2 May 2008 meeting.

The Committee was informed that approaches had been made by the Council to the bus operator, Arriva, with respect to the suggested alternative solution of a full width, flat top road hump to replace the cushion (which were designed for buses to straddle and negotiate with the minimum of discomfort). Mr R C Coulthard had indicated that this option would not put as much pressure on the axle of the machinery. It was explained that Arriva indicated that they would object to provision of a full width hump on the grounds that it was now company policy to do so. It was noted that this option was estimated at £5000.

The Committee was informed that that Arriva had lodged a change to their service 20 with the Traffic Commissioners to run through Elton and Long Newton.

The decision of the Appeals Committee and Arriva's comments were subsequently discussed with Members of Long Newton Parish Council on 9 May, at a meeting attended by the Council's Traffic & Road Safety Manager and Community Engineer. The Parish Council Members indicated that they wished the cushion to be retained as part of the scheme, and the objections to be considered by the Appeals Committee.

The Committee were advised that both North Yorkshire County Council and Durham County Council had recently confirmed they had not received any similar complaints regarding speed cushions in their rural traffic calming schemes.

The Committee was advised that Mr R C Coulthard had contacted the Council on Monday 30 June indicating that medical letters regarding the effects of the speed cushions in Elton on one of his neighbours would be sent by his GP and consultant. It was understood that he considered that this was a material consideration in this case. A letter dated 1 July 2008 from the resident's wife urged the Council to consider the removal of the cushions on the grounds of reducing pain to a patient living in the village who travels to and from a hospice via ambulance. It was considered however, that given that the journeys were not an emergency, it was considered that the ambulance should be able to negotiate the features at an appropriately low speed without causing significant discomfort. It was also considered that there were more severe traffic calming features elsewhere in the Borough, and similar complaints had not been received. The ambulance service were a statutory consultee and had not formally objected to any proposed traffic calming scheme in the Borough.

It was noted that only one compensation claim from Mr Coulthard had been received by the Council's Insurance Section. This was for damage to a vehicle with a standard axle arrangement.

Mr A Coulthard, Mr R C Coulthard and Mr Brown were in attendance at the meeting and explained that the current speed cushion in Elton was damaging their agricultural machinery and costing them money. It was explained that due to the A66 improvements, they had to travel through both Long Newton and Elton on a daily basis in order to carry out their work. They explained that they weren't against traffic calming but would prefer a full width speed cushion in

Long Newton as it would not put as much pressure on the axle of the machinery. Two residents were also in attendance at the meeting and spoke in support of Mr A Coulthard, Mr R C Coulthard and Mr Brown. One resident presented a drawing of a full width speed cushion that they considered would be an acceptable alternative to the proposed speed cushion for Long Newton. They explained that this type of cushion was currently being used on Stockton High Street.

The Traffic and Road Safety Officer confirmed that a proposal similar to the full width speed cushion proposed by the objectors had been considered by Long Newton Parish Council as an alternative but was considered not feasible as Arriva would object to it.

Three members of Long Newton Parish Council were in attendance at the meeting and were given the opportunity to speak. They explained that a traffic calming feature was needed as traffic speeds had increased recently and that consultation on the proposal had been largely positive. They also explained that they had considered other alternatives such as a full width speed cushion but on the basis that Arriva would object to such a proposal they could not risk the potential withdrawal of the bus service to Long Newton.

At this point the Committee agreed that it had received sufficient evidence and the objector and officers, other than those from Law and Democracy, left the meeting room whilst the Committee considered its decision.

Members discussed the information and representations it had received and considered that the proposed vertical deflection traffic calming feature was acceptable as the speed of traffic through Long Newton needed to be controlled. The Committee noted that the proposed speed cushions were specifically designed for buses and emergency vehicles so as not to impede their services. The Committee considered that they had not received enough evidence from the objectors to suggest that the proposed speed cushions were a problem nationally. It was also noted that consultation had indicated general support for the proposal.

In view of the above the Committee felt it could not uphold the objections as it was considered that they did not outweigh the advantages of the proposed vertical deflection traffic calming feature.

RESOLVED that the objections shall not be upheld and the Head of Technical Services be advised accordingly.