

Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Wednesday, 31st March, 2010.

Present: Cllr Robert Gibson, John Fletcher, Cllr Jean Kirby and Cllr Andrew Sherris

Officers: M. Gillson, S. Lumb and Kevin Ellison (DNS); J. Butcher, K. Maddison-Walshe and M. Henderson (LD)

Also in attendance:

Apologies: Cllr Mrs Jean O'Donnell

ACC 12/09 **Declarations of Interest**

Councillor Fletcher declared a personal non prejudicial interest in the item entitled Carnoustie Drive, Eaglescliffe Proposed Traffic Calming Scheme.

Councillor Fletcher indicated that he would remove himself from the Committee for the item entitled Carnoustie Drive, Eaglescliffe Proposed Traffic Calming Scheme as he intended speaking against the proposed scheme in its current format.

ACC 13/09 **Committee Procedure**

The Chairman explained the intended Committee procedure.

RESOLVED that the Committee procedure be noted.

ACC 14/09 **Carnoustie Drive, Eaglescliffe Proposed Traffic Calming Scheme**

Consideration was given to an objection in respect of proposed traffic speed humps on Carnoustie Drive, Eaglescliffe.

An Officer from Development and Neighbourhood Services briefly presented a report relating to the issue. Members noted that a consultation exercise had revealed that 92.4% of respondents supported a school zone scheme on Carnoustie Drive. The scheme comprised three round top speed humps. Following the consultation exercise a statutory notice was published and one objection had been received.

It was explained that the objector did not consider the speed humps a necessity as there were no concerns with respect to speeding vehicles. It was also pointed out that the school zone signs had been erected and parking restrictions were being installed near the school. The objector therefore considered that the situation should be monitored once the waiting restrictions were installed and the situation be reviewed at that point to determine if the speed humps were required. The objector considered that this should give a clearer indication of whether it was viable to spend taxpayer's money on the scheme.

Cllr Fletcher was present at the meeting and made representations as Ward Councillor. He explained that he believed that the consultation relating to the

school zone scheme was not explicit and had not made it clear that speed bumps would be included. Cllr Fletcher referred to discussions at a meeting of the Parish Council and suggested that there had been confusion amongst members about what was involved in the school zone scheme. He considered that the Parish Council was not clear it was voting for speed humps when supporting the school zone. Councillor Fletcher pointed out that there was no history of speeding on Carnoustie Drive and therefore questioned the need for speed humps.

An officer speaking in support of the scheme explained that he considered that Stockton on Tees Borough Council had been clear with residents and the Parish Council as to what the scheme would include. He indicated that the second consultation included a plan which clearly showed speed humps on Carnoustie Drive. The officer explained that one of the reasons for low speeds, down Carnoustie Drive, at school time, might be as a result of the poor parking by parents during that period. He went on and suggested that the proposed waiting restriction would clear the area and this may result in inappropriate driving speeds. The officer informed the Committee that a child had been struck and injured by a car travelling on Carnoustie Drive in 2008.

At this point Cllr Fletcher and Officers from Development and Neighbourhood Services left the meeting room. The Committee considered all of the information contained within the report and presented to it at the meeting. It considered the objections raised but were mindful of the fact that the 92.4% of the residents voted in favour of the School Zone Scheme. The Committee did not accept that the residents did not know what they were voting for, the plan attached to the consultation letter clearly showed speed humps were to be located on Carnoustie Drive. Members were in agreement that the letter indicated what was to be removed from the scheme and not what was to be included. If residents and members of the Parish Council were not clear on what they were voting on Officers of the Council were available to discuss any concerns that they had. Members were of the view that the statutory consultation was carried out in a fair manner and residents were given every opportunity to discuss their concerns with an Officer of the Council before voting in favour of the School Zone Scheme.

RESOLVED that the objection should not be upheld and the Head of Technical Services be advised that the Committee considers that the objection does not outweigh the need for the order.

ACC 15/09 ON STREET PARKING, STOCKTON BOROUGH – CHARGING REGIME ON PRINCE REGENT STREET, STOCKTON

Consideration was given to an unresolved objection received following the statutory advertising of a proposal to introduce on street parking charges on Prince Regent Street, Stockton and revoke the relevant Traffic Regulation Order relating to the existing 2 hour limited waiting restrictions.

A letter of objection received from a Mr Jones living in a flat on Dovecot Street was read to the Committee. Mr Jones's objection centred around the fact that if the proposed on street parking charges were implemented on Prince Regent Street he would not be able to park his car for free within a 10 minute walking distance of his home. Mr Jones stated that despite his address being Dovecot

Street his front door was on Prince Regent Street and as such this disqualified him from applying for a Residential Parking Permit. Mr Jones stated that he had lived at this address for four years and although he was aware of the parking problems when he moved into the address the problems would get considerably worse if the on street parking charges were introduced.

Members considered a report that provided information surrounding this matter. An officer was in attendance and made representations supporting the proposed scheme.

The Committee noted that the existing parking restrictions would remain in place however the period of operation was to be amended to bring it in line with the daytime waiting restrictions in the Borough. It was explained that Mr Jones would be free to park his car between the hours of 6pm to 8am on a Monday to Saturday and anytime on a Sunday or Bank Holiday. The Committee noted that, currently, there were 2 hour limited waiting parking bays on William Street, Brunswick Street, Albion Street, Skinner Street and Dovecot Street which would continue to allow parking without charge for up to 2 hours, Monday to Saturday 9am to 5pm. There were future proposals to introduce additional 2 hour limited waiting parking bays on Skinner Street and Lodge Street and amend the operation hours of all the bays in this area to 8am to 6pm with no additional parking charges being attached to the bays. The Committee also noted that the nearest existing limited waiting bays without charge were within a 5 minute walk from Mr Jones's property. The Committee was informed that there were no Residential Parking Schemes in operation in this town centre and, as such, no resident living within this area had a residential parking permit.

Residential Parking Schemes were usually only considered in residential areas where on street parking by commuters, shoppers or patrons had a significant impact on the available parking for local residents and as Mr Jones's property lay within the designated Town Centre boundary, which was considered to be a predominately commercial area, it was unlikely that a Residents' Parking Scheme would be introduced in this area.

At this point officers from Development and Neighbourhood Services left the meeting room.

Members considered all of the representations contained within the report and presented to them at the meeting. They considered Mr Jones's parking concerns however, were mindful of the fact that 2-hour maximum stay with a 2-hour no return 9am to 5pm Monday to Saturday parking restrictions were in existence outside his residence. Members were of the opinion that the only differences, which would affect Mr Jones, was the difference in operational hours as these had been extended to 8am to 6pm Monday to Saturday, and the parking charges.

Members asked whether a Parking Permit Scheme could be introduced but agreed with Officer's opinion that the area of Dovecot Street/Prince Regent Street was based within the Town Centre boundary and as such was not considered a suitable Scheme location. Members were therefore of the opinion that all residents with cars would be in the same situation and therefore Mr Jones was not adversely affected by the proposals and as such, had not been overlooked or forgotten about.

RESOLVED that the objection should not be upheld and the Head of Technical Services be advised that the Committee considers that the objection does not outweigh the need for the order.

**ACC
16/09**

AVRO CLOSE, STOCKTON – 24 HOUR WAITING RESTRICTIONS

Consideration was given to outstanding objections received following the statutory advertising of a proposal to implement 24 hour waiting restrictions on Avro Close around its junction with Concorde Way, Stockton.

It was explained that identical letters of objection had been received which were provided to Members. Both objections, from a Mr Beaman and Mr Baggott, were on the basis that as employees of Preston Hall BMW they would have nowhere to park their vehicles, as there was insufficient on site parking available to staff members. They commented that any car park spaces available on site were used by loan and demonstrator cars and as staff travelled from surrounding areas such as Hartlepool and Darlington car usage was essential. The waiting restrictions would mean that additional cars would be parked along Moss Way, which would ultimately lead to congestion problems along Concorde Way. Their objection also stated that parking on Moss Way would also endanger staff, as there was no designated safety crossing on Concorde Way.

Members considered a report that provided information surrounding this matter. An officer was in attendance and made representations supporting the proposed scheme. The officer responded to the objections and stated that on street parking was generally tolerated on Avro Close unless it created an obstruction to the traffic flow, pedestrian movement or it was creating a road safety hazard. The officer reminded the Committee that Avro Close was an adopted highway and on that basis no one had a specific right to park on the street unless there were formal designated parking bays. He further commented that the planning application submitted by Inchcape Estates Ltd aimed to resolve the current parking issues on Avro Close by providing onsite parking for staff members. Finally the officer commented on Mr Beaman and Ms Baggott's claim that there were no designated safety crossings on Concorde Way. Mr Gillson stated that there were a number of non-signalised pedestrian crossing points on Concorde Way including one directly adjacent to the BMW garage site. Each crossing point had a dropped kerb, tactile paving and pedestrian guard railing on the central island.

Members considered all of the representations contained within the report and presented to them at the meeting. They considered Mr Beaman and Mr Baggott's concerns however were mindful of the fact that increased staff and customer parking would be provided within the site as part of the approved redevelopment of the garage sites. Members stated that as the site redevelopment must be constructed and implemented in accordance with the planning approval granted.

RESOLVED that the objections should not be upheld and the Head of Technical Services be advised that the Committee considers that the objections do not outweigh the need for the order.

