

Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Friday, 28th September, 2012.

Present: David Wilburn(Chairman), Cllr Norma Wilburn(Vice Chairman), Cllr Robert Gibson, Cllr Maurice Perry

Officers: Mark Gillson, Joanne Roberts(DNS), Julie Butcher, Sarah Whaley(LD)

Also in attendance: Cllr Colin Leckonby(Ward Concillor), Mr A Greaves, Mr D Mason, Mr R Simpson

Apologies: Cllr Ian Dalgarno, Cllr Ross Patterson, Cllr Andrew Sherris

ACC 10/12 Evacuation Procedure

The evacuation procedure was noted.

ACC 11/12 Declarations of Interest

There were no declarations of interest.

ACC 12/12 Minutes of the meeting held on the 20th July 2012.

The minutes of the meeting held on the 20th July 2012 were approved and signed by the Chairman.

ACC 13/12 Procedure

The Committee considered and agreed a proposed procedure for the meeting, which the Chairman explained ahead of the following item.

RESOLVED that the procedure be agreed.

ACC 14/12 Butsfield Way & Wallington Road, Bilingham - Proposed Environmental Traffic Calming Scheme

Members were provided with a report relating to outstanding objections received following the advertising of a proposed Environmental Traffic Calming Scheme in Butsfield Way & Wallington Road, Bilingham.

Officers from Technical Services were present to present the report.

It was explained that since 1993 the Council's Design Guide and Specification ensured that all new residential roads in the Borough were calmed to ensure an average speed of around 20mph. In response to ever increasing number of requests to provide traffic calming on residential roads built prior to 1993, the Council developed the innovative Community Engineer initiative in 2001. Members noted that the Community Engineer worked alongside Parish/Town Councils and formally constituted residents groups to develop environmental traffic calming schemes for their area in reaction to residents' concerns with respect to vehicle speeds and the potential for accidents.

The scheme in the Butsfield Way & Wallington Road area was instigated by the North Bilingham Residents Group following concerns expressed by residents in

the area with regard to the speed of some drivers using the roads.

The North Billingham Residents Group opted to develop a scheme featuring road humps.

An initial consultation exercise was carried out and indicated that 75% of respondents supported the scheme.

The scheme was progressed through the usual consultation process and the Northern Area Transport Strategy(ATS) stakeholders resolved to allocate funding from their 2012/13 budget, with a contribution also confirmed from local Ward Councillors Community Participation Budget.

The Notice of Works for the scheme was published and following the publication of the statutory notices 2 letters of objection were received. Members were provided with a copy of the letters of objection alongside a table detailing objectors' concerns and officers' responses.

The Committee noted that local Ward Councillors supported the proposals. There had been no response in favour or against from Billingham Town Council.

A number of objectors and a supporter were present to make representations to the Committee.

An objector asked officers to confirm why only 73 letters had been sent to residents during the consultation when the total number of residents including those residing in cul-de-sacs off Wallington Road, totalled 182. The objector felt that the statutory notices to residents should be re-issued to include the residents in the cul de sacs.

Officers informed the Committee that the consultation had been carried out in accordance with statutory requirements. Only those homes affected by the traffic calming scheme needed to be included. With reference to the statutory consultation a statutory notice was published in the Herald & Post which was a free newspaper delivered to every house in the area and notices were posted on lampposts within the vicinity. Officers explained that it was not a statutory requirement to send letters to households. The Committee were also informed that as part of the preparatory consultation and in addition to the letter drop to households in Wallington Road, notices had also been included in local ward councillor newsletters of which there had been in excess of 4000 delivered. It was also reiterated that the proposed scheme came from an original request by the North Billingham Residents Group, which is a formally constituted residents group whose meetings are advertised and open to all.

An objector queried the number of objectors referred to within the report. There was reference made detailing that out of the 32 respondents to the public consultation, 8 had indicated no support. Officers explained to the Committee that only the 2 objections received following the statutory notice were eligible to be referred to the committee.

A resident supporting the scheme informed the Committee that he had witnessed speed increases in the last 3 years and that residents felt they were at risk coming on and off their driveways.

Members attention was then brought to an accident involving a cyclist at Wallington Road and to the west of Heaton Road in 2009 which was reported as serious due to the severity of the injuries the pedal cyclist had sustained. Objectors indicated that they believed this was not related to speeding traffic and were not wholly in agreement as to the location of the accident.

An objector highlighted that whilst he had been a resident for the past 34 years in Wallington Road, traffic had dramatically decreased in number and speed and questioned why the authority were to spend £11,500 on the traffic calming scheme during these economically challenging times. The objector also highlighted that one of the proposed speed humps was to be located outside of his house, which was a north facing house and would cast shadows over the speed humps during icy conditions slowing the thawing process down. This he felt would result in the speed humps increasing potential safety problems on Wallington Road.

Officers informed the Committee that a Road Safety Audit Engineer had been consulted and he had reported that issues surrounding ice being overshadowed would not be considered as an unsafe issue as all drivers should drive in accordance with the current weather conditions. It was also reported that gullies were present at either side of the proposed speed hump allowing for drainage.

Objectors proposed that the speed humps be moved approximately 50 metres.

The Committee were informed that the recommended distance between speed humps to achieve the required 20mph speed restriction was between 80-100mtrs. Greater distances would potentially increase speed. The North Billingham Residents Group had indicated that this type of scheme be put in place, and if one speed hump was to be moved then all would have to be moved to maintain the recommended speed. A full public consultation would be required again.

Members discussed the possibilities of moving a speed hump below Penshaw Court however this would create a distance of 130mtrs between speed humps.

Objectors, supporters and officers other than officers from Law and Democracy, then left the meeting room. The Committee considered its decision taking account of the written information provided to it and the verbal representations it received at the meeting.

The Committee noted that the scheme had been initiated by the North Billingham Residents Group and that consultation had been adequate and had followed statutory requirements and that residents had been kept well informed from the outset. The scheme also had the support of local ward Councillors. Members discussed that alongside the safety of children, the elderly and infirm also required safeguarding.

The Committee noted the objectors concerns surrounding the number of responses to consultation but members felt that the exercise had indicted the support of the community and that consultation only had to be undertaken with those directly affected by the speed humps and it was therefore satisfied that this had been undertaken correctly. Members also noted concerns expressed

regarding the position of the speed bump west of Penshaw Court however it was accepted that great care had been taken to minimise the number of speed humps being placed directly outside residents homes.

RESOLVED that the Head of Technical Services be recommended not to uphold the objections.