

# Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Thursday, 20th June, 2013.

**Present:** Cllr David Wilburn(Chairman), Cllr Norma Wilburn(Vice Chairman), Cllr Ian Dalgarno, Cllr Robert Gibson, Cllr Maurice Perry, Cllr Andrew Sherris,

**Officers:** Allen Squires, Sarah Whaley(L&D)

**Also in attendance:** Mrs N Mack(Objector)

**Apologies:** Cllr Ross Patterson

## **ACC 1/13 Evacuation Procedure**

The Evacuation was noted.

## **ACC 2/13 Declarations of Interest**

Cllr Ian Dalgarno declared a personal/prejudicial interest in respect to agenda item 5, Allensway Extension - Allensway - Tedder Avenue Order 2013 as he was a member of Thornaby Town Council who made representations on the re-development of Thornaby town centre. Cllr Dalgarno made representations but did not take part in the vote when item 5 was considered.

## **ACC 3/13 Minutes from the meeting which was held on the 18th January 2013.**

Consideration was given to the minutes from the meeting which was held on the 18th January 2013 for approval and signature.

AGREED that the minutes be approved and signed by the Chairman.

## **ACC 4/13 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 5/13 Allensway Extension - Allensway - Tedder Avenue Order 2013**

Members were provided with a report relating to an outstanding objection received following the statutory advertising of a traffic regulation order, which amongst other provisions proposed No Waiting at Any Time restrictions on Tedder Avenue, Thornaby as part of the Allensway extension.

A Senior Engineer from Technical Services was in attendance to present the report.

It was explained that the Allensway carriageway extension had for some time been planned as a second access to Thornaby town centre with the original Town Centre developer Thornfield Properties. As the carriageway had not been constructed by the developer the Council had recovered the developer's bond to

enable the works to be commenced. The Senior Engineer provided the Committee with a larger plan identifying the areas which would be affected by the proposed Order. It was explained to the Committee that the proposed Order would contain a no left turn onto Tedder Avenue from Allensway, and no right turn onto Allensway from Tedder Avenue in addition to the various No Waiting at Any Time restrictions; these being normal practice within 40 metres of an approach to traffic signals to avoid obstructive parking and aid the free flow of traffic.

It was confirmed that the statutory consultation process was conducted between the 07 March 2013 and 28 March 2013 by means of on-site notices and a local press advertisement. One letter of objection was received from a member of the public, details of which, was included in the attached report.

The objector was present to make representations to the Committee and informed Members and officers that the local newspaper advertisement had not been seen as the local newspaper had not been delivered to the objector's residential area for some years. The objector did however acknowledge that on-site notices had been seen which had prompted the objection.

The objection put forward by the complainant highlighted to the Committee that the current parking available on Tedder Avenue was being taken up by people attending Thornaby Town Centre, such as NPower workers and Thornaby Pavillion attendees. This was preventing the objector (who's husband was registered disabled), and other residents from parking close to their own homes and it was requested that resident parking be put in place as part of the proposed Allensway extension.

The Senior Engineer clarified that currently under the new proposals, around seven parking spaces on the carriageway of Tedder Avenue would be lost and an adjacent off road hard standing would be reduced from three to one parking space. It was also explained that four new adjacent off road parking spaces would be created with the potential, if funding became available, for a further three to four parking spaces that would connect all the adjacent off road car parking spaces, providing possibly eight to nine car parking spaces in total. In addition there would potentially be around five carriageway parking spaces outside the No Waiting at Any Time restriction area on Tedder Avenue. The Committee were also informed that as Tedder Avenue was a public highway, parking must be available for everyone, and that the town centre car parks did have capacity and were free to use, although a three hour limit was currently in place.

The objector explained to Members that residents were willing to pay for permit parking, however the Senior Engineer highlighted that a parking study of the area had been conducted and initial findings did not consider that a resident parking scheme was required. The study did however acknowledge that there was some parking displacement on Tedder Avenue which could have possibly been due to there being a footpath into the town centre and the limited three hour use of the town centre car parks, which were managed by a private company. On being asked the objector informed the Committee that her husband was entitled to and held a blue badge and that a vehicle was registered at the objectors property.

The Senior Engineer and the objector other then left the meeting room.

The Committee, in the presence of officers from Law and Democracy, considered its decision taking account of the written information provided to it and the verbal representations it received at the meeting.

Members were mindful of the parking problems being experienced by the objector. However, they considered, when looking at the details of the proposed Order that although some parking spaces were being lost on the carriageway of Tedder Avenue, there were also additional parking spaces being created for adjacent off road parking with the potential for even more to be added if funding could be found. On balance it was therefore agreed by the Committee that the proposed Order would not make the current parking situation any worse.

Members were also aware that they could not allocate the objector or any other residents an individual parking place on land designated as public highway.

The Committee were satisfied that the proposed No Waiting at Any Time restrictions on Tedder Avenue were appropriate to avoid obstructive parking and to aid the free flow of traffic, they noted that this was the appropriate practice on the approach to traffic signals. They also confirmed that they were satisfied that there was a justification for extending the carriageway as this had been planned for some time and part of the initial re-development of Thornaby town centre.

The Committee noted the objectors concerns, along with the representation from the Head of Technical Services, and of those members who voted it was agreed that the reasons set out in the objection did not outweigh the reasons for making the proposed Order and therefore the objection was not upheld.

The Committee did however agree to recommend to The Head of Technical Services that one of the adjacent off road parking spaces on Tedder Avenue be made an advisory disabled parking bay and agreed to ask that efforts be made to introduce the potential additional off road parking spaces, subject to funding being available.

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