

Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Friday, 2nd May, 2008.

Present: Cllr Robert Gibson (Chairman); Cllr Ian Dalgarno, Cllr Andrew Larkin, Cllr Alan Lewis, Cllr Andrew Sherris and Cllr Mrs Mary Womphrey.

Officers: M Gillson, S Lumb (DNS); P K Bell, J Butcher, S Ahmed (LD).

Also in attendance: C R Coulthard (Objector) and F Sedgewick (Local Resident).

Apologies: Cllr Mohammed Javed.

ACC 1/08 **Declarations of Interest**

There were no interests declared.

ACC 2/08 **Committee Procedure**

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

RESOLVED that the procedure be noted.

ACC 3/08 **Lond Newton Village, Stockton on Tees - Proposed Traffic Calming Scheme**

Consideration was given to a report on outstanding objections received following statutory advertising of a vertical deflection traffic calming feature at a 'Gateway' proposed on the Elton-Long Newton Link Road at the eastern end of Long Newton village. It was not considered appropriate for the Head of Technical Services to consider the objections, as he would effectively be reviewing his own decision.

Stockton Council's Community Engineer worked alongside Long Newton Parish Council to investigate their requirements with respect to provision of traffic calming Gateways on the approaches to the village. The measures were to be funded by the Highways Agency as part of the A66 Long Newton Interchange scheme. At the eastern end of the village the Parish Council proposed a pinch point with one way working incorporating a speed cushion. The Scheme of Delegation Report TS.T.47.07 was attached to the report.

The scheme was subsequently progressed through the relevant consultation procedure, including local Ward Councillor, public consultation and the police.

As a result, a Notice of Works for the speed cushion was advertised in the Evening Gazette and on site on 23 January 2008 with the objection period expiring on 25 February 2008. Following the publication of the statutory notices, the Director of Law and Democracy received three letters of objection from Mr A Coulthard, Mr C Coulthard, both of Smith House Farm, Elton, and Mr and Mrs Brown of Quarry House Farm, Coatham Stob, Elton. A letter of support for the objectors was also received from the Regional branch of the

National Farmers Union. All letters were attached to the report.

The main grounds for objection in all cases were 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.

The speed cushions in Elton measure approximately 2.0m long x 1.8m wide x 75mm high. They were in accordance with specifications detailed in the Highways (Road Humps) Regulations 1996. Previous claims for compensation from Mr C R Coulthard relating to damage to agricultural vehicles received by Stockton Council had therefore been denied.

It was noted that given concerns from a significant number of residents in Elton with regard to the speed cushions, Elton Parish Council recently requested that residents be consulted on whether to retain, amend (by reducing the cushion width) or remove the cushions in their village. This consultation was programmed to take place in April.

The Department for Transport and the Transport Research Laboratory had indicated that traffic calming features such as speed cushions had not been significantly tested on agricultural machinery. The Council had therefore contacted North Yorkshire County Council to determine if they had received any complaints about damage to farm vehicles caused by speed cushions. They indicated that they were not aware of any such cases, and reasoned that such vehicles were designed for much worse terrain than a speed cushion. The National headquarters of the National Farmers Union also indicated that they were not aware of this being a significant issue for its members. However, the letter in support of the objectors from the NFU Stokesley and Cleveland Branch was also noted.

Notice of the objections being received was given to Long Newton Parish Council, it was suggested that Steve Lumb, the Community Engineer, be invited to attend the Parish Council meeting on 11 March to facilitate an informed discussion with Parish Councillors with regard to the advantages/disadvantages of retaining the speed cushion feature in light of the objections received. Instead the Parish Council requested that all information be provided to enable them to recommend whether to retain the cushion, remove it from their scheme, or to install the scheme without the cushion initially but reserve the right to install it at a later date should speeds not acceptable to the Parish Council be achieved.

Details of the objections, the letter of support from the local NFU branch, the history of complaints in Elton, comments received from the National NFU and North Yorkshire County Council were provided, together with a comparison of speeds at Elton (build out with speed cushion) and Carlton (build out, no speed cushion) were detailed within the report.

The results of the speed surveys clearly indicated that the provision of a speed cushion had a marked impact on the speed of vehicles approaching this type of feature and this was particularly evident at the eastern end of Elton village. At Carlton (and at other locations where build outs are provided without speed cushions) complaints had been received that motorists approaching from the side that have to 'Give Way' accelerate to pass the feature before the arrival of oncoming traffic, this caused frustration, anger and potential head-on conflicts. The provision of the speed cushion deters this action as vehicles were required to slow down to pass over the cushion and is more likely to deter motorists speeding up to enter the village before a vehicle can exit.

Where reasonably high volumes of traffic use these features speeds can be reduced appreciably but if there were low volumes of traffic (the likely situation at Long Newton) the speed reduction could be minimal without the provision of a cushion and the potential for collisions at the build-out would increase.

At their meeting on 11 March, Long Newton Parish Council indicated that they wished the cushion to be retained as part of the scheme, and the objections to be considered by the Appeals and Complaints Committee.

Mr C R Coulthard and Mr F Sedgewick were in attendance at the meeting and were given the opportunity to outline their objections. Mr C R Coulthard reported that he was in favour of traffic calming but not with the suggested speed cushions. Mr C R Coulthard distributed some photographs that he alleged showed the damage that had been caused to his machinery by similar speed humps in Elton. He also outlined that he had copies of the invoices for the repairs to his machinery and that his insurance company would not pay for the damage as it had been caused by a third party installing humps. This had caused Mr C R Coulthard not only repair cost but also time when the crops should be harvested. Mr C R Coulthard explained to Members that if the height of the hump was lowered and spread across the full width of the road it would ease the problem as then it would not put as much pressure on the axel of the machinery.

Members discussed the scheme at length and the possible options that were available to them to help the objectors.

After consideration of all the evidence that had been presented to them, Members decided to defer the item to see if Officers can find a mutually agreeable solution to problems faced by the objectors.

RESOLVED that the item be deferred to see if Officers can find a mutually agreeable solution to problems faced by the objectors.