

## Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Wednesday, 1st October, 2008.

**Present:** Cllr Ian Dalgarno, Cllr Mrs Mary Womphrey, Cllr Julia Cherrett (vice-Cllr Alan Lewis), Cllr Mrs Jean O'Donnell (vice-Cllr Mohammed Javed)

**Officers:** S. Milner, A. Thickett (DNS), J. Butcher, M. Jones (LD).

**Also in attendance:** Mr S. Hussain

**Apologies:** Cllr Robert Gibson, Cllr Andrew Sherris, Cllr Mohammed Javed, Cllr Andrew Larkin, Cllr Alan Lewis

### **ACC 7/08**      **Appointment of Chairman**

RESOLVED that Councillor Mrs Womphrey be appointed Chairman for this meeting only in the absence of Chair and Vice-Chair.

### **ACC 8/08**      **Declarations of Interest**

There were no interests declared.

### **ACC 9/08**      **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 10/08**      **Beechwood Road/Witham Avenue, Eaglescliffe - 24 Hour Waiting Restrictions**

The Committee considered a report of the Corporate Director of Development and Neighbourhood Services regarding an objection to a proposal to implement 24 hour waiting restrictions around the junction of Beechwood Road/Witham Avenue, Eaglescliffe.

It was explained that in May 2008 approval was given to process a permanent Traffic Regulation Order to prohibit waiting on Beechwood Road at its junction with Witham Avenue. The proposal was developed following complaints of obstructive parking around the junction, which was a 90 degree bend that raised possible road safety concerns. Parking around the bend obstructed driver forward visibility and forced vehicles onto the wrong side of the road into the path of oncoming traffic where there was potential for collision. It was noted that there had been no reported injury accidents in the past three year period.

The Committee was informed that prior to statutory advertising, a consultation exercise with local residents was undertaken. Seven directly affected residents were consulted of which six replies were received (3 in support and 3 against). The result of the consultation included:

- Concerns regarding potential increase in vehicle speeds if parking was

removed. However, it was considered by officers' that as the junction was a 90 degree bend it acted as a traffic calming feature in itself as it forced drivers to reduce speeds on the approach to the bend.

- A request for a 20mph zone. Although these measures were generally required to be self-enforcing with road humps or were considered along short distances outside of schools officers believed it would not resolve the obstructive parking issue.
- Requests to review the extent of restrictions required; some parking on the south side of Witham Avenue could be accommodated and the extent of the parking restriction was reduced by 21 metres prior to statutory advertising.

Officers believed that the restrictions would assist the safe and expeditious movement of traffic at this junction and reduce potential for road traffic accidents.

Beechwood Road was an adopted highway and as such no one had any specific parking rights, it was not possible to reserve any space outside an individual property. This caused issues for many residents across the Borough where properties did not have off street parking facilities. Parking on street was available approximately 17 metres from the objector's property on the south side of Witham Avenue; there were no properties on this side.

Officers noted the possibility of introducing a one way system, but felt that it may result in increased vehicle speeds along Beechwood Road since drivers would be confident they would not meet, or need to give way to oncoming traffic. It would also have implications for local residents in that it would cause inconvenience when accessing properties via the one way system since it may not be the most direct route. This could lead to people contravening the one way system resulting in increased enforcement burden for the Police.

The Committee noted that the Officers' Traffic Group, local Ward Councillors, Preston Parish Council and the Cabinet Member for Regeneration and Transport had indicated their support for the advertised proposal.

The objector was present at the meeting and was given an opportunity to present their case to the Committee. The objector made a number of points including:

- There had been no accidents in the vicinity.
- The area was essential for parking vehicles since no off street facilities were available.
- Parking would be displaced to outside of other properties or neighbouring streets which would cause unrest among residents.

The objector suggested a one way system to address the issue of oncoming traffic meeting another vehicle. The Objector tabled photographs of the area concerned and stated that he was not able to park at the rear of the property as access was too tight. He confirmed that he did not have a garage at the rear of his property

All parties were given the opportunity to ask questions relating to the

representations made.

In conclusion the Officer summed up by reiterating the proposal was required to address parking around a 90 degree bend which caused road safety issues in that vehicles were forced onto the wrong side of the road. The extent of restrictions had been reduced following a public consultation exercise in order to accommodate some parking on the south side of Witham Avenue. The reduced extent meant parking on street was available approximately 17 metres from the objector's property.

At this point the Committee confirmed that it felt it had gathered sufficient information and requested all parties, other than officers from Law and Democracy, to leave the meeting room in order to come to a decision.

The Committee considered the representations made by the officer and the objector and accepted the officer's assertion that road safety concerns had to take precedent over demand for parking in such situations. The committee therefore considered that the proposed Order was necessary.

RESOLVED that the objections did not outweigh the need for the Order and the Head of Technical Services be advised of this to determine whether to proceed to implementing the order.