

# Appeals & Complaints Committee

A meeting of Appeals & Complaints Committee was held on Friday, 16th July, 2010.

**Present:** Cllr Robert Gibson(Chairman), Cllr Ian Dalgarno, Cllr Mrs Mary Womphrey Cllr Aidan Cockerill(Vice Cllr Andrew Sherris) Cllr Alan Lewis(Vice Cllr John Fletcher)

**Officers:** Mark Gillson (DNS), Sarah Whaley, Julie Butcher (L&D)

**Also in attendance:**

**Apologies:** Cllr John Fletcher, Cllr Mohammed Javed, Cllr Andrew Sherris

**ACC 1/10**      **Declarations of Interest**

There were no declarations of interest.

**ACC 2/10**      **Minutes of previous meetings for signature**

RESOLVED that:

The minutes of the meetings dated the 19th January 2010 and 31st March 2010 were signed by the Chairman as a true record.

**ACC 3/10**      **Committee Procedure**

The Chairman explained the intended Committee procedure.

RESOLVED

that the Committee procedure be noted.

**ACC 4/10**      **A1044 Thornaby Road, Stockton - Proposed Reduction in Speed Limit**

Consideration was given to an objection in respect of proposed speed limit reductions on A1044 Thornaby Road between Ingleby Way and Low Lane, Stockton.

It was not considered appropriate for the Acting Head of Technical Services to consider the objection as he would be effectively reviewing his own decision.

Following an objection received during the statutory consultation for the above mentioned proposals, Stockton Borough Council contacted the objector giving more background information in relation to the speed reductions whilst also giving the option of withdrawing their objection or attending the Appeals and Complaints Committee. The objector replied expressing his wish to continue with his objection however did not confirm his attendance to the Appeals and Complaints Committee meeting. The Objector did not attend the meeting however letters dated 13 April and 6 May which were submitted by the objector were contained in full in the Committee papers at Appendix 2.

An Officer from Development and Neighbourhood Services presented the Committee with a report relating to the issue's, highlighting the following:

In August 2006 the Department for Transport published the National guidance 'Setting Local Speed Limits' Circular 01/2006 and asked all traffic authorities to use the guidance to assess speed limits on all A and B Roads within their authority implementing any proposed changes by 2011. That guidance now based speed limits on average speeds as apposed to the 85th percentile speed. The review was carried out by ARUP on behalf of the Council and was made available to all Councillors and was also placed on the Council's intranet. Members learned that one of the 3 priority actions from this review was identified as Thornaby Road and Ingleby Way to Low Lane. The Committee heard that the average speeds in each direction were measured at 41mph and 44mph respectively which were lower than the prevailing speed limit of 60mph. It was also highlighted that the accident rate was considered against other similar roads and was identified as being higher than the national average. A further concern which was raised by Ingleby Barwick Town Council and the Eastern Area Transport Strategy Board was in relation to the access to the Thornaby and Ingleby Barwick Football Club (TIBS) and, in particular, during training sessions on Saturday mornings and matches on Sundays where children were dropped off on the opposite side of the road and were required to cross the road to access TIBS. It was therefore recommended to replace the 60mph speed limit with a 40mph speed limit in this location and beyond the TIBS access to reduce the speed limit to 50mph up to Low Lane. The Officer from Development and Neighbourhood Services explained that the proposals underwent consultation with Ward Councillors, Cabinet Members, Town Councils and other relevant bodies and underwent statutory consultation. The Committee heard the objections which had been submitted and the following was highlighted:

- 1) that the road was straight and open
- 2) had few vulnerable road users
- 3) there were no known accidents along that stretch of road
- 4) the speeds were already below the national speed limit
- 5) and that the objector didn't feel that reducing the speed limit would make any difference with respect to road safety.

The Council's response to the objection was set out in the papers and summarised by the Officer representing Development and Neighbourhood Services . It was highlighted that there were problems on rural roads and that 62% of deaths on roads occur on rural roads, which carry just 40% of traffic. Also the risk of death in an accident would be reduced if the travel of speed was 50mph as opposed to 60mph. The significant difference between the 85th percentile and average speed that currently existed indicated that drivers were unsure what speed it was safe to drive at. The reduction in the speed limit proposed by the Order should reduce the 85th percentile speed and the average speed and therefore reduce the accident rate. The Committee were advised that the length of road was used by leisure cyclists, was a jogging and dog walking route from Ingleby Barwick and that a number of HGV's travelled along the road to Teesside Industrial Estate and it was confirmed that the proposal to reduce the speed limit should contribute to the improvement to road safety.

Careful consideration was given to the objections raised however the Committee were mindful of the reasons given by the Corporate Director for Development and Neighbourhood Services for the need for the Order as

specified above and therefore were not persuaded that the objections outweighed the need for the Order and unanimously agreed that the objections received could not be upheld.

RESOLVED that

the objection is not upheld and the Acting Head of Technical Services be advised of the committee's decision.