

## **Appeals & Complaints Committee**

A meeting of Appeals & Complaints Committee was held on Thursday, 3rd March, 2011.

**Present:** Cllr Robert Gibson (Chairman), Cllr John Fletcher, Cllr Mohammed Javed, Cllr Mrs Mary Womphrey and Cllr Woodhead (Vice Cllr Sherris)

**Officers:** J. Butcher, M. Henderson (LD); W. Trewick (DNS)

**Also in attendance:**

**Apologies:** Cllr Andrew Sherris, Cllr Ian Dalgarno, Cllr Jean Kirby

### **ACC 11/10      Declarations of Interest**

Councillor Fletcher referred to the item entitled Turton Road/Willey Flatt Lane, Yarm and explained that he was a member of the Western Area Partnership, which had supported this scheme. He indicated that he would leave the meeting prior to consideration of this item, as there might be a perception of predetermination/bias.

### **ACC 12/10      Committee Procedure**

The Committee was provided with a proposed procedure for the meeting.

RESOLVED that the procedure to be used at the meeting be agreed.

### **ACC 13/10      Church Road, Stockton - Proposed On Street Parking Charges**

A Council officer from Technical Services presented a report that detailed proposals to introduce on street parking charges on Church Road, Stockton.

It was explained that the suggested charges were - the first 10 minutes free of charge, then 20p for half an hour. The charges would apply 8am-6pm, Monday-Saturday. The proposals had originally been suggested, following a consultation process, carried out by a previous Town Centre Manager, as it had been felt that they would facilitate a quick turnover of customers in the town, which would assist retailers.

The report also detailed the concerns of an objector to the proposals and a copy of the letter of objection, and a location plan, was provided to the committee.

Members were also provided with a schedule, detailing the concerns raised by the objector, together with a response to those concerns prepared by officers.

It was noted that one of the concerns related to the time of operation for the On –Street Charging, which was 8am – 6pm. To overcome that concern the Council was happy to revise the hours that the charges applied to 9am – 5pm, Monday – Saturday.

An issue raised by the objector related to the possibility of introducing resident parking permits. The preferred option of the objector would be to issue permits for residents to park in the short stay bays on Church Road, in front of their

properties, as they had concerns about vandalism when parking their vehicle overnight in the back lane. This option would not only reduce any potential income for the Council it would also reduce the available parking spaces for passing trade for businesses. It was therefore not recommended that the Victoria Estate Resident Permit Parking Scheme be extended to cover the residents of Church Road. Residents would of course be able to park in the layby between 4:50pm and 09:10am with the revised times of operation suggested.

The objector to the proposals was in attendance at the meeting and raised a number of points, referred to problems she experienced and highlighted the concerns she had should the proposals be introduced:-

- her property was residential as well as business, unlike other areas where such charges had been introduced, which were purely business. She suggested that residents like herself should be allocated parking at the front of the properties. Her car was vandalised if she parked it to the rear of her property overnight. Therefore, she parked at the front and moved her car before parking restrictions commenced early in the morning.
- she considered the parking charges and particularly the sight of meters on the paved area, in front of the shops, to be a powerful disincentive to potential customers using those shops.
- parking wardens issued tickets to her whilst she was unloading her car in front of her business/residence.
- taxi ranks still existed which had not been used for many years. Recently those parking on the ranks received tickets for a time but this later stopped. This caused confusion to motorists and customers.
- she questioned whether the projected revenue to the Council from the proposals would be achieved, as it relied on evidence from meters situated on Prince Regent Street, which, she suggested, was considerably busier than Church Road.
- she felt that the reasoning behind the proposals, i.e. that it would assist the vitality of the town, was a little unclear and had not been adequately thought through.

The officer responded to a number of the issues raised by the objector:-

- residents' parking zones could not reasonably be introduced for one street and the introduction of a residents parking zone on church road would reduce places for shoppers.
- loading was permitted outside the shops for 20 minutes provided that it was continuous.
- the requirement to display a ticket would clarify the situation for the motorists and traffic wardens.
- the situation with regard to the taxi ranks had been clarified and signage had already been removed and road markings would also be removed soon. No further confusion should then occur.

- cost were an estimate - the cost of the car parking service had to be recovered from users and could not fall on the general fund.

Members sought clarification of a number of issues particularly with regard to how the restrictions would work and be monitored by wardens.

At this point the objector, officer from Technical Services and one member of the public left the meeting room whilst the committee discussed the matter and arrived at a decision.

Members considered the information it had been provided with. The committee noted that under the revised proposals residents of Church Street would be able to park at the front of their properties between 4:50pm and 9:10am, as opposed to the current situation, which only allowed them to park there between 5:30am and 8:30am. The committee considered that this was an improved position for residents. The committee also considered that the proposals would not have a detrimental impact on the businesses on Church Road.

RESOLVED that it be recommended that the objections be not upheld.

**ACC 14/10     A174 Parkway Extension, Stockton/ Middlesbrough – Proposed Reduction in Speed Limit**

The committee considered a report relating to proposals to reduce the speed limit on the A174 Parkway Extension from 60 to 50 mph. The report provided details of the proposals as well as details of an objection that had been received.

It was explained that the A174 Parkway Extension had been reviewed in accordance with Department of Transport guidance. The findings were that the average speeds (39.2mph and 48.1mph) were much lower than the existing National 60mph speed limit. The accident rate per 100 million vehicle kilometres was calculated based on the total number of accidents over the 3 years (2005-07). The accident rate was (16), which was lower than the National average (24). However, the route was unlit and pedestrians crossed the road between Teesside Industrial Estate and the housing areas to the north. The recorded mean speeds also suggested that it would be appropriate to reduce the speed limit to 50mph.

The committee was informed that planning permission to construct a roundabout on A174 Parkway Extension to serve Teesside Industrial Estate had been given – this was likely to further reduce traffic speeds on the road and make the current National speed limit even more inappropriate.

The committee was also informed that approximately 100 metres of the road at the Eastern end approaching A19 was outside the boundary of Stockton-on-Tees. This section was within the Borough of Middlesbrough. Middlesbrough Council had indicated that, subject to Stockton-on-Tees Borough Council paying all costs and leading on the preparation of the Traffic Regulation Order required, they had no objections to the proposals.

The scheme had been through the relevant consultation procedure, including local Ward Councillors, Thornaby Town Council and the police.

The traffic regulation Order for the reduction in speed limit had been advertised and one letter of objection had been received. Despite further correspondence with the objector (provided) the objection remained unresolved.

The main grounds for objection were the lack of hazards on the road –the road was straight in character, had no junctions or parking lay-bys, no properties adjacent to it, was not used by pedestrians or cyclists, and that vehicle speeds were already low. The objector considered that the proposed speed limit reduction would not contribute to road safety on the affected length of road.

In response to the objection officers referred to national guidance, issued by the Department for Transport that helped provide context to the matter.

Members noted that the length of road was approximately 1km in length, and was subject to the National Speed limit of 60mph. As set out in Circular 01/2006, speed limits were based on mean speeds rather than 85th percentile speeds.

The average speeds of 39.2mph and 48.1mph were much lower than the 60mph speed limit. This indicated that the drivers were assuming a speed at which they felt it was safe to drive which was much lower than the plated limit.

The accident rate (16) was lower than the Nation average (24) and presented no cause for significant concern. However, the road was unlit and pedestrians did cross the road to and from Teesside Industrial Estate – desire lines were evident along the road. Members noted that a child pedestrian fatality had occurred on the road during the 1990's.

In summary, the recorded mean speeds suggested that it would be appropriate to reduce the speed limit to 50mph. There were proposals to construct a roundabout on the link, which might further reduce traffic speeds on the road.

At this point the officer from Technical Services left the meeting.

Members considered the information they had received relating to the matter. The committee noted that the Department for Transport had issued guidance with regard to setting speed limits, indicating that average speeds should be used. The average speeds on this road were 39.2mph and 48.1mph, so a reduction to 50 mph was in line with the guidance. The committee also noted that the road was unlit and was crossed by pedestrians who were resident on nearby housing estates. Given the above the committee felt the proposals should go ahead.

RESOLVED that it be recommended that the objections be not upheld.

**ACC 15/10 Turton Road/Willey Flatt Lane, Yarm - Proposed Environmental Traffic Calming Scheme**

Cllr Fletcher left the meeting room during consideration of this item.

The Committee considered a report that detailed proposals to introduce vertical deflection traffic features on Turton Road/Willey Flatt Lane in Yarm. The report also detailed 2 outstanding objections to the proposals.

Members noted that the scheme had been instigated by the Yarm and Willey Flatt Residents Group following concerns expressed by residents in the area with regard to the speed of some drivers on Turton Road and Willey Flatt Lane. Consultation had taken place with local residents and 91% had supported the proposals.

During the statutory advertising process 3 objections were received and two of those remained outstanding.

Members noted that the objectors considered that:

- the scheme was unnecessary
- the problems were on Worsall Road
- traffic calming features were unsightly
- caused noise and damage to vehicles and were dangerous
- Taxpayers' money should be spent elsewhere.
- the scheme was expensive
- traffic calming measures had no proven safety record

Officers responded to response to the objections:

- since 1993, all new residential estate roads were required to be calmed to ensure an average speed of 20mph via the road alignment and /or use of traffic calming features. There were many requests from residents for roads built before 1993 to be traffic calmed.

- The Turton Road / Willey Flatt Lane scheme was identified as the priority for the Yarm and Willey Flatt Residents Group. The scheme was supported by 91% of residents who responded to a questionnaire.

- although this particular scheme had not been prompted by the injury accident record, an injury accident involving serious injuries to a child pedal cyclist occurred on Turton Road in July 2010.

- The financial cost of collisions to society could be calculated using figures issued by the Department for Transport (DfT). The average cost of a collision in Stockton in 2009 was £107,539 per injury collision, rising to £215,170 for a serious collision. The cost of the scheme was estimated at £18,000.

- The traffic calming scheme detailed for Turton Road / Willey Flatt lane took into account buses using the road and for the comfort and safety of passengers, speed cushions were proposed. Speed cushions were designed to allow emergency vehicles to straddle them; they are also the preferred vertical deflection measure on bus routes. If the features were negotiated at an appropriately low speed, no damage to vehicles should occur.

- Noise level differences which residents attributed to speed cushions tended to be well within limits put forward by British Standards and in research by organisations such as the Transport Research Laboratory.

- Department of Transport research indicated that for every 1mph reduction in average speeds as a result of traffic calming a 5% reduction in accidents could be anticipated. The reduction in vehicle speeds reduced the potential for injury accidents and the severity of any accidents that may occur.

- With regard to Worsall Road, officers were aware of residents' concerns with regard to speeding traffic. Although enforcement was a police responsibility, the Council had recently installed a Speed Indication Device and permanent camera signing to encourage lower speeds.

At this point the officer from Technical Services left the meeting room.

The committee noted the objections and the responses to those objections. It also noted the considerable support the scheme had received from residents and a local ward member

The committee agreed that the reasons for introducing the proposals outweighed the objections.

RESOLVED that it be recommended that the objections be not upheld.