

**Minutes of the Portfolio Holder (Transport and Planning) Decision Session
held on 22nd November 2013**

Present:

Councillor Peter Butlin (Portfolio Holder, Transport and Planning)

Other County Councillors:

Councillors John Holland, Jenny St. John

Contributors:

Sue Butcher, Warwick Chamber of Trade
Dennis Crips, resident
Councillor Elizabeth Higgins, Warwick West Town and District Councillor & Heritage
Champion
Robert Jinks, Warwick Association for the Blind
Graham Kensett, Guide Dogs for the Blind
Jenny Lane, resident
James Mackay, Warwick Society
Derek Maudlin, Warwick Town Council
Vaughan Rees, resident
Rebecca Swift, Royal National Institute for the Blind
Rosemary West, Warwick Association for the Blind

Officers:

Monica Fogarty, Strategic Director, Communities Group
Caroline Gutteridge, Solicitor
Paul Spencer, Democratic Services Officer
Graham Stanley, Senior Engineer
Garry Palmer, Team Leader, Parking Management
Carolyn Burrows, Team Leader, Traffic and Road Safety

1. Member's Disclosure of Pecuniary and Non-Pecuniary Interests

There were no declarations of interest.

2. Proposed Puffin Crossing High Street Near Swan Street, Warwick

Councillor Butlin, Portfolio Holder for Transport and Planning, welcomed everyone and asked all parties to introduce themselves.

A report was submitted which set out the key issues, the objections received, letters of support and responses provided. The recommendation was to approve the proposal for the establishment of a Puffin Crossing in the High Street near to Swan Street, Warwick as advertised and an appendix set out the statutory criteria for decisions on making traffic regulation orders and parking orders.

At the outset, Mr James Mackay sought guidance on procedural points regarding the potential pre-determination of this matter. He referred to an email he had been

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copied into, sent by Councillor Peter Butlin and said that works had commenced. Councillor Butlin requested a brief adjournment to consider Mr Mackay's representation.

The meeting was recovered. Caroline Gutteridge, Solicitor responded to the points raised by Mr. Mackay. On the procedural issues relating to the appointment of a contractor and a claim that work had started, it was clarified that the Council has a standing maintenance contractor, Balfour Beatty, which had designated a sub-contractor. That company was drilling trial holes, to determine the feasibility of a controlled crossing at this location. When this had been brought to the County Council's attention, the sub-contractor was instructed to cease this operation.

On the matter of predetermination, it was pointed out that there was no legal requirement for the Portfolio Holder to undertake this meeting and the decision could have been made having regard to written representations. Councillor Butlin explained that the email response referred to by Mr Mackay was sent whilst he was in the midst of dealing with a family bereavement and he regretted the poor choice of wording and apologised. Councillor Butlin stated that that he had not made a decision and was approaching this with an open mind and wanted to hear the views of those present. The situation regarding the trial holes was confirmed by Graham Stanley, Senior Engineer. Councillor Butlin added that he would take on board all the points raised during this meeting and would seek further legal advice, before taking his decision on this matter. The timing of these works, to cause minimal disruption was a further point raised.

Councillor Butlin invited each party to submit their verbal representation.

Vaughan Rees, resident, referred to the current difficulties for blind and partially sighted people in crossing the shared space. He gave a definition of a shared space and following the removal of kerbs, there is no delineation between the areas used by pedestrians and motorists. For the sight impaired, it is frightening to walk in this area. He stated the need for a lower speed limit and also referred to accident statistics for other shared spaces in Coventry and Stratford. He concluded by requesting approval of the proposed crossing and a reduction in the speed limit.

Sue Butcher, representing the Chamber of Trade, objected to the proposal. She reminded the meeting that the previous crossing was not a controlled crossing and sought the reinstatement of a zebra crossing. The proposed crossing is in the wrong location and the likely 4-week closure period for the works is also unacceptable. If the scheme goes ahead, there is support for it being in January, provided that 1-way traffic was maintained throughout the works. The closure of the Butts would also be problematic and consultation would be required. Residents had received a notice of the closure, but not been consulted.

Councillor Butlin referred Mrs. Butcher to paragraph 1.6 of the report, which stated that this location is been identified as the only position on the road where a signalised crossing could be introduced in compliance with the guidance for such crossings issued by the Department for Transport. The location is also believed to offer a convenient crossing point, allowing movement between popular destinations. Graham Stanley confirmed that the County Council is required to give 3-months' notice of the works. If it didn't complete the works in the period stated, a further notice would be required, delaying the scheme. Therefore, a 4-week period had been stated, to allow for any inclement weather and it is hoped to complete the works in

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two weeks. He added that the Butts would remain open in one direction, if the scheme was approved.

Councillor Elizabeth Higgins displayed a copy of the Warwick Town Centre Plan and referred to the pedestrian routes within it. This document, approved by both the County and District Councils provided for a crossing at Castle Street, not the location proposed. If approved, the scheme would ignore the Plan. The costs of the scheme were also discussed, with Councillor Butlin confirming that these works would cost £65,000. Councillor Higgins asked why the proposal for Castle Street could not go ahead and the Portfolio Holder referred to the extensive Department for Transport guidance to be followed regarding the location of controlled crossings.

James Mackay of the Warwick Society stated that there had been no safety appraisal completed for all users of this area. The Warwick Society had made representations, but not received a response. The problem is caused by the volume of traffic and driver behaviour. A wide range of solutions were available, including to reduce the speed limit or to downgrade this route, but these had been disregarded. He considered the traffic lights would only worsen the situation, given the volume of traffic. He considered the scheme would reduce pedestrian safety, have a negative impact for Town Centre trade and affect the environment through air pollution and was not a legitimate use of the Section 106 funding allocated to the scheme. He concluded that this was a shared space, but consideration had been given only to road users.

Dennis Crips, resident, commented that pedestrians should have priority in a shared space. He displayed a Department for Transport document on shared spaces, which was provided to Councillor Butlin. Mr Crips also reminded the meeting of the legal requirements. He advocated the suitability of zebra crossings. He felt a puffin crossing would increase congestion, due to the narrow width of highways in this area and there would be a need to relocate on-street parking. He asked that the previously agreed "pedestrian priority" signage requested through a community forum be provided.

Derek Maudlin of Warwick Town Council spoke about the need to reduce traffic and improve pedestrian access, together with the previous rejection of the Castle Street scheme, due to objections received. This issue has been on-going for over 3 years. He felt a solution could be reached by removing some routes and reducing speed limits. There were no indications in this area that it was a shared space and that pedestrians had priority.

Graham Kensett of Guide Dogs for the Blind used two examples to demonstrate that any individual might lose their sight, at any time and he explained the issues this would pose for them in their daily lives. Guide Dogs for the Blind seeks to promote equality for all. Sighted people are able to make eye contact with motorists when crossing a road, whereas those with sight difficulties cannot. He supported the proposal as a safe solution for all pedestrians and felt a zebra crossing wouldn't provide the same level of safety.

Rebecca Swift of RNIB also spoke in support of the proposal. She felt shared spaces did not work for the visually impaired, particularly referring to the removal of kerbs and crossing points. The proposed crossing would address current concerns and alleviate anxiety. She favours a controlled crossing to a zebra crossing. Rebecca

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Swift also commented that the current arrangements discriminate against the partially sighted, breaching the Equalities legislation.

County Councillor Jenny St. John spoke as a local member in support of the proposals. Originally, she had favoured a crossing at the Castle Street location, but now understands why the crossing cannot be provided there. County Councillor John Holland added that all 3 Warwick County Councillors are in support of this scheme. He spoke about resident feedback, seeking a crossing and is a member of many of the groups that had been represented today. A lot of the future ideas could be progressed and he offered to work with the individuals to progress them. He supports the recommendation.

Mr Mackay made a further contribution about the promised stakeholder group, which hasn't been established and had led to the representations at this meeting.

Councillor Butlin noted all the representations made. He read a written representation from Councillor Angela Warner, who couldn't attend this meeting. Councillor Warner is also in favour of the scheme, stating that it supports the Town Centre initiatives. She felt there is a strong case for a controlled crossing at this location, as opposed to any other crossing type and noted the previous delays.

Vaughan Rees asked if there are any legal restrictions on imposing a 20mph speed limit in the Town Centre.

It was explained that there is a process to be followed in varying the speed limit and enforcement by the Police was another aspect discussed. It was questioned whether, in making this decision, officers could be instructed to look at the other improvement options. Councillor Butlin was aware of the on-going dialogue with local County Councillors. Graham Kensett added that the informal black and white striped crossing points at other locations would be of benefit.

In closing the meeting, Councillor Butlin advised that he would take on board all the points made and seek further legal advice before making his decision, which would be taken in the next two working days. Thereafter, the decision would be published and a press release issued.

The meeting closed at 11.40 a.m.