

# Portfolio Holder Decisions/Leader Decisions

Date: Friday 11 December 2020

Time: 12.00 pm

## Membership

Councillor Jeff Clarke

Items on the agenda: -

1. **Objections to Proposed Traffic Signals at A47 The Long Shoot / Callendar Farm, Nuneaton** 3 - 14

**Monica Fogarty**  
Chief Executive  
Warwickshire County Council  
Shire Hall, Warwick

## Disclaimers

### Disclosures of Pecuniary and Non-Pecuniary Interests

Members are required to register their disclosable pecuniary interests within 28 days of their election of appointment to the Council. A member attending a meeting where a matter arises in which s/he has a disclosable pecuniary interest must (unless s/he has a dispensation):

- Declare the interest if s/he has not already registered it
- Not participate in any discussion or vote
- Must leave the meeting room until the matter has been dealt with
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

Non-pecuniary interests must still be declared in accordance with the Code of Conduct.

These should be declared at the commencement of the meeting

The public reports referred to are available on the Warwickshire Web

<https://democracy.warwickshire.gov.uk/uuCoverPage.aspx?bcr=1>

### Public Speaking

Any member of the public who is resident or working in Warwickshire, or who is in receipt of services from the Council, may speak at the meeting for up to three minutes on any matter within the remit of the Committee. This can be in the form of a statement or a question. If you wish to speak please notify Democratic Services in writing at least two working days before the meeting. You should give your name and address and the subject upon which you wish to speak. Full details of the public speaking scheme are set out in the Council's Standing Orders.

## Portfolio Holder Decision – Objections to Proposed Traffic Signals at A47 The Long Shoot / Callendar Farm, Nuneaton

<b>Portfolio Holder</b>	<b>Portfolio Holder for Transport and Planning</b>
<b>Date of decision</b>	<b>11 December 2020</b>
	<b>Signed</b>

### Decision taken

The Portfolio Holder approves the introduction of traffic signals with pedestrian and cycling facilities as advertised in accordance with the Road Traffic Regulation Act 1984, Section 23, conditional upon the necessary Highways Act 1980, Section 278 agreement being in place.

### Reasons for decisions

A planning application (034615) was submitted to Nuneaton and Bedworth Borough Council for a residential development of up to 850 dwellings, a primary school and a mixed-use local centre at Callendar Farm. Planning permission was granted on 29 August 2019 and this requires the Developer to implement a traffic signal-controlled junction with pedestrian / cycling facilities at the access which is between properties 160 and 162 The Long Shoot.

Where a highway scheme is considered and approved as part of the planning process, the courts have made it clear that the highway / traffic authority is expected to co-operate in its implementation unless some exceptional or changed circumstances call for a different approach. The planning permission could be amended to remove the need for the traffic signal controls, but this would require a further planning application by the developer and the agreement of Nuneaton and Bedworth Borough Council (which would be guided, but not bound by, the advice of the highway / traffic authority).

The County Council intends to enter into a Section 278 agreement with the Developer to undertake the works. Under that agreement the cost of the works will be fully funded by the Developer.

The Road Traffic Regulation Act 1984, Section 23, requires that before establishing, altering or removing a pedestrian crossing facility, the authority shall consult with the Chief Officer of Police and give public notice of the proposal. This traffic signal-controlled junction includes pedestrian crossing facilities. A public notice was published on 16 October 2020 in the Nuneaton News and at [www.warwickshire.gov.uk/trafficsignals](http://www.warwickshire.gov.uk/trafficsignals) and notices were erected in the vicinity of the proposed traffic signal-controlled junction.

Details were sent to statutory consultees (including the Chief Officer of Police) and 42 directly affected properties between 140 and 182 and between 141 and 195 The Long Shoot, although due to a delay with postal arrangements letters addressed to the residents were not received until 02 November. The consultation plan can be seen in **Appendix 1**.

During the period of the consultation (16 October to 16 November 2020) three representations specifically regarding the proposed traffic signals were received from members of the public. Other comments were received during that period and subsequently regarding traffic levels and the number of development sites along The Long Shoot. These have not been reported here as they are outside of the scope of the consultation but have been responded to separately.

The Portfolio Holder for Transport and Environment has the authority via the Constitution of the County Council to determine, in consultation with local member(s), road traffic management and accident prevention schemes and road traffic regulation where representations have been received. The statutory criteria which he should consider are included as **Appendix 5**.

## Background information

The representations received are included as **Appendices 2 to 4**. A common point raised was regarding the requirement for the traffic signals and the impact on The Long Shoot. The need for the traffic signals was identified following modelling of the potential effects of the traffic flow as a result of the development and an assessment of the potential effects of highway safety for pedestrians and drivers. The Transport Assessment was reviewed and accepted by the County Council as the highway authority and the planning consent includes a condition that no more than 10 dwellings should be occupied until the traffic signal junction has been completed.

The following paragraphs summarise the other representations and gives responses to the points raised.

### Vehicle access to residential properties

#### Representations

- No right turn northbound to properties 159-177
- Difficult to enter or exit the driveways at 163 and 165
- No access protection markings for properties 159-177

#### Response

It will still be possible for vehicles travelling in either direction on The Long Shoot to turn into driveways. However, it will mean having to wait for a gap in the traffic in a similar way to the situation at many traffic signal junctions on residential roads. In the case of the driveways within the junction, the tracking of vehicles has been checked on the design to ensure that all movements can be made and that the positioning of traffic signal poles or lighting columns will not impede these.

It is not proposed to include any keep clear markings on either the northbound or southbound approaches to the traffic signals. It would be expected that gaps will form through the courtesy of drivers to allow residents to enter and exit their driveways.

### Environmental impact

#### Representation

- There will be an increase in vehicle emissions and noise pollution
- There will be an impact of lighting on residential homes

#### Response

The Long Shoot is not within an existing Air Quality Management Area nor does it suffer from the

canyoning effects due to high sided buildings in close proximity to the highway. An Environmental Statement formed part of the planning application documents and showed that the additional traffic generated by the development will lead to negligible increases in particulate matter and nitrogen dioxide concentrations on The Long Shoot.

The Long Shoot already has a system of street lighting. The traffic signal heads will be positioned to face the approaching traffic. They will be visible but will not shine into adjacent properties.

### Financial implications

The County Council intends to enter into a Section 278 agreement with the Developer to undertake the works. Under that agreement the costs will be fully funded by the Developer. Approval to add this scheme to the capital programme was given by the Portfolio Holder for Finance and Property at his decision-making meeting on 15 March 2019. However, this was a decision concerning financial and operational management and does not affect the responsibility of the Portfolio Holder for Transport to consider the merits of the proposed scheme.

### Environmental implications

The environmental impacts of developer-funded highway schemes are considered through the planning approval process to ensure that the developments are consistent with the principles of sustainability.

Traffic signal-controlled junctions with pedestrian and cycling facilities contribute to an integrated pedestrian and cycling network and help reduce conflict between traffic, cyclists and pedestrians, encouraging feelings of safety. These factors are important in encouraging walking and cycling within a community. The design of these facilities takes into account the needs of people with physical and sensory disabilities to ensure equality of opportunity and access.

<b>Report Author</b>	Shirley Reynolds shirleyreynolds@warwickshire.gov.uk,
<b>Assistant Director</b>	Scott Tompkins – Assistant Director (Environmental Services)
<b>Lead Director</b>	Mark Ryder - Strategic Director for Communities
<b>Lead Member</b>	Councillor Jeff Clarke - Portfolio Holder for Transport and Planning

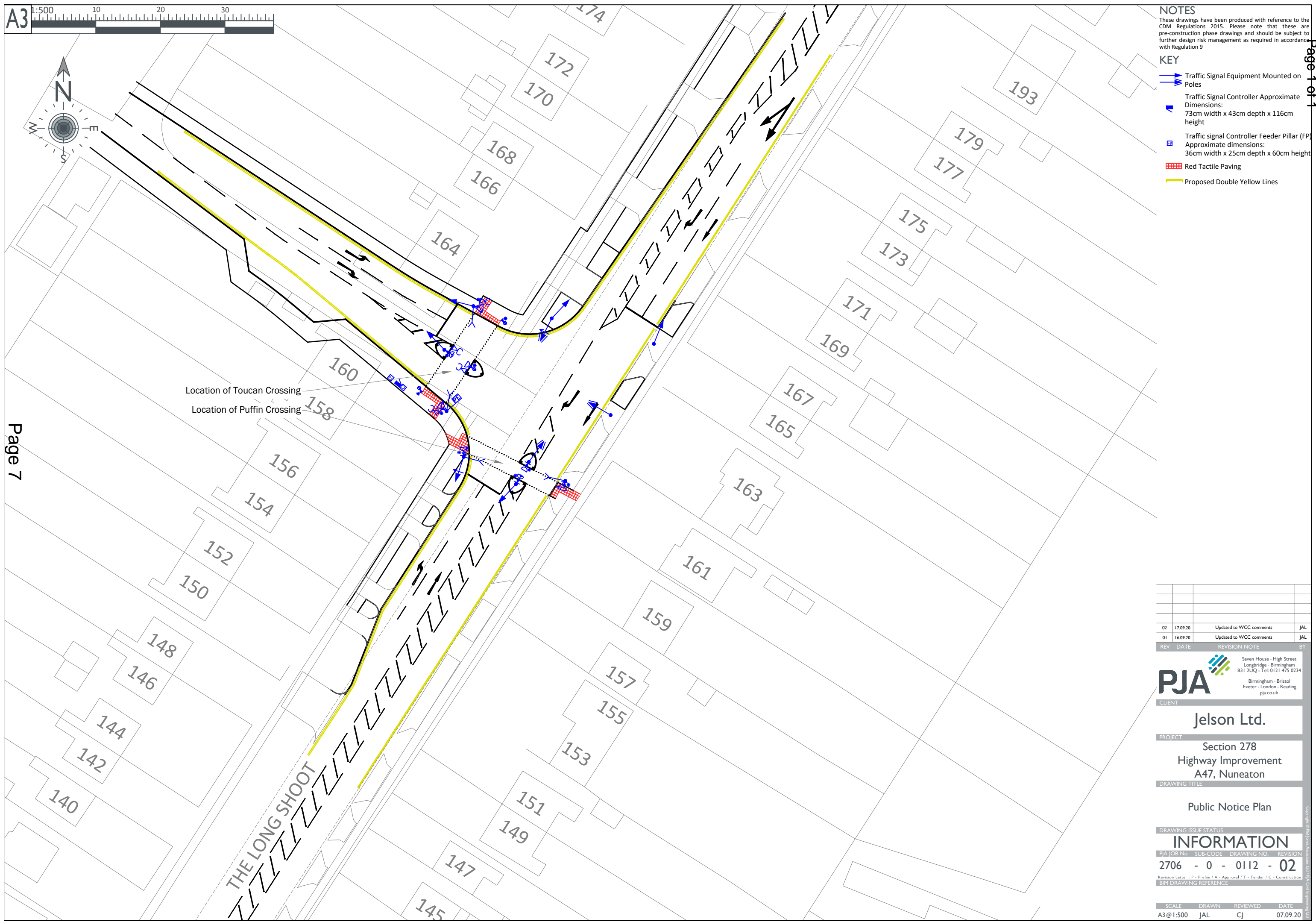
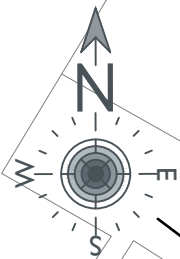
<b>Urgent matter?</b>	No
<b>Confidential or exempt?</b>	No
<b>Is the decision contrary to the budget and policy framework?</b>	No

### List of background papers

Appendix 1 – consultation plan  
Appendices 2 to 4 – representations received  
Appendix 5 – statutory criteria for decisions on pedestrian crossings

### Members and officers consulted and informed

Portfolio Holder – Councillor Jeff Clarke  
  
Corporate Board – Mark Ryder  
  
Legal – Ian Marriott  
  
Finance – Andrew Felton  
  
Equality – Keira Rounsley  
  
Democratic Services – Isabelle Moorhouse  
  
Local Member: Councillor Jeff Clarke – Nuneaton East



Location of Toucan Crossing  
 Location of Puffin Crossing

**NOTES**  
 These drawings have been produced with reference to the CDM Regulations 2015. Please note that these are pre-construction phase drawings and should be subject to further design risk management as required in accordance with Regulation 9

- KEY**
- Traffic Signal Equipment Mounted on Poles
  - Traffic Signal Controller Approximate Dimensions: 73cm width x 43cm depth x 116cm height
  - Traffic signal Controller Feeder Pillar (FP) Approximate dimensions: 36cm width x 25cm depth x 60cm height
  - Red Tactile Paving
  - Proposed Double Yellow Lines

REV	DATE	REVISION NOTE	BY
02	17.09.20	Updated to WCC comments	JAL
01	16.09.20	Updated to WCC comments	JAL

**PJA**  
 CLIENT

Seven House - High Street  
 Longbridge - Birmingham  
 B31 2UQ - Tel: 0121 495 0234

Birmingham - Bristol  
 Exeter - London - Reading  
 pja.co.uk

**Jelson Ltd.**

PROJECT  
 Section 278  
 Highway Improvement  
 A47, Nuneaton

DRAWING TITLE  
 Public Notice Plan

DRAWING ISSUE STATUS  
**INFORMATION**

PJA JOB No. SUB-CODE DRAWING NO. REVISION  
 2706 - 0 - 0112 - 02

Revision Letter: P - Prelim / A - Approval / T - Tender / C - Construction  
 BIM DRAWING REFERENCE

SCALE	DRAWN	REVIEWED	DATE
A3@1:500	JAL	CJ	07.09.20

This page is intentionally left blank



[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 06 November 2020 16:56  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: A47 – Long Shoot Traffic Signal Junction - OBJECTION

Dear [REDACTED]

Again thank you for your email of the 23 October 2020.

If I may I should like to split your concerns into two areas, those which are pertinent to the planning application process undertaken by Nuneaton and Bedworth Borough Council (NBBC) and those which relate to the practicalities after construction.

Your issues raised with respect to why is there a need for a Traffic Signal Junction and would other alternative approaches have been applicable, together with your concerns over potential increase in traffic delays and environmental impact are covered in the planning application process. The need for a traffic signal junction is a planning condition and the factors relating to traffic and environment will have been considered in an Transport Assessment and Environmental Statement prior to planning consent being given. These detail are available on the NBBC website.

With respect to practicalities after construction and vehicle access to residential properties. It will still be possible for vehicles travelling in either direction on The Long Shoot to turn into driveways. This will mean having to wait for a gap in the traffic in a similar way to the situation at many traffic signal junctions on residential roads. It is not proposed to include any keep clear markings on either the northbound or southbound approaches to the traffic signals. We would expect gaps to form through the courtesy of drivers to allow residents to enter and exit their driveways. With regard to the impact of the signal lights, the signal heads will be positioned to face the approaching traffic, they will be visible but will not directly shine into adjacent properties.

Addressing your other queries as you listed:

- No indication of dates proposed for work commencement or length of project?

The notification you have received is part of the planning conditions. The start date is still to be confirmed and can be influenced by your following point.

- What factors would be taken to mitigate residential impact, access, traffic flow, noise, peak traffic, public/school holidays, other planned works locally?

We will be liaising with our Network Management Team to discuss how the works will be carried out taking into account factors that include the ones you have highlighted.

- Mitigation & compensation to affected local residents?

If a property depreciates in value as a result of physical factors arising from the use of public development works, then it may be possible to make a claim under the Land Compensation Act 1973. 'Physical factors' are: noise; vibration; smell; fumes; smoke; artificial light; discharge onto the land of any solid or liquid substance.

- Indication of which residents have been advised and consulted on this proposed Junction?

Letters have been sent to directly affected residents at the property numbers 140 to 182 and 141 to 195. The public notice has been advertised in the Nuneaton News and is available to view at Nuneaton and Bedworth Borough Council and on the County Council's website at [www.warwickshire.gov.uk/trafficsignals](http://www.warwickshire.gov.uk/trafficsignals).

- Priority Traffic Flow, it would appear to recent example the Bellway Estate A47 Long Shoot signally incorrectly offers priority to 'Greendale Road' rather than maintaining traffic flow to A47. No indication this taken into account?

Thank you for this observation and this has been passed on to the Traffic Signals Team to investigate.

I sincerely hope that this has answered your concerns and should you require any further information please do not hesitate to contact me.

Kindest Regard,

[REDACTED]  
Engineer | Engineering Design Services | Environment Services  
**Warwickshire County Council**

T: [REDACTED]  
P: Communities Directorate | Shire Hall Post Room | Northgate Street | Warwick | CV34 4SP

---

**From:** [REDACTED]  
**Sent:** 30 October 2020 16:29  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: A47 – Long Shoot Traffic Signal Junction - OBJECTION

Good Afternoon [REDACTED]

Thank you for your email dated 23/10/2020, please take this email as acknowledgement of receipt of your email.

The content of your email will be investigated and a formal response will be provided by the end of next week.

[REDACTED]  
Engineer | Engineering Design Services | Environment Services  
**Warwickshire County Council**

T: [REDACTED]  
P: Communities Directorate | Shire Hall Post Room | Northgate Street | Warwick | CV34 4SP

---

**From:** [REDACTED]  
**Sent:** 23 October 2020 10:12  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** A47 – Long Shoot Traffic Signal Junction - OBJECTION

Good Morning [REDACTED]

Resident Objection to the Intended **A47 – Long Shoot Traffic Signal Junction.**

In light of the recent proposal to a new traffic signal junction with Callender Farm Residential Development. I have the below concerns and queries I wish to bring to your attention in the hope that my **objection** is taken into rightful consideration.

#### Impact Objections

- **Vehicle Access to residential properties** – No right turn north bound to housing 159-177 The Long Shoot as indicated on Mapping.
  - No suggestion to road markings allowing 'Access Clearance' for residential vehicle access to numbers 161, 163, 165, 167, 169, 171, 173, 175 177.
  - I question why this development entitles to such proposed measures, yet no proposal was submitted for the A47 The Long Shoot (Davidson Development - Sunburst Dr) & the estate feeding off Summerhill Dr.
    - This has proven to be a functional solution in both cases 'estates indicated above', resulting in no change to access alterations, signalling nor impacting the A47 current traffic flow.
- **Alternative measure** – No alternative with suggested planning proposal. A Give way access approach leading out of the Callender Farm Estate would appear both sensible and more effective solution.
- **Traffic Management** – This serves no functional benefit to the original Long Shoot homes or the A47 route.
  - Given the **current traffic levels** with this artery route (A47) presenting already daily back logs exacerbated at (peak hours) feeding on/off the A5, this new junction would already add to A5 Junctions reduced Traffic flow, The new Traffic signal serving the Bellway estate & as a clear result only expectations will lead onto additional delays, with potential A5 Junction halting at (Peak Hours) and restriction to A47 traffic flow both North & Southbound. I welcome a traffic survey assessment. This too would appear at odds with the NBBC current strategy to bring increased free moving traffic flow and reduction to travel times across the Nuneaton borough.
- **Environmental Impact**, we already suffer heavily from increased vehicle emissions & noise pollution. This proposed Junction will prolong & increase both factors as a result of increased stationary traffic. Contrary to legal commitments to reduce such factors, I request environmental impact assessment for local residents that this does not pose an increased risk.
- **Signal Lighting** - impact of lighting onto residential homes, given proximity.

#### All other queries;

- No indication of dates proposed for work commencement or length of project?
  - What factors would be taken to mitigate residential impact, access, traffic flow, noise, peak traffic, public/school holidays, other planned works locally?
  - Mitigation & compensation to affected local residents?
- Indication of which residents have been advised and consulted on this proposed Junction? Note for the record this proposal impacts all residents to The Long Shoot.
- Priority Traffic Flow, it would appear to recent example the Bellway Estate A47 Long Shoot signally incorrectly offers priority to 'Greendale Road' rather than maintaining traffic flow to A47. No indication this taken into account?

I thank you for your consideration and await response.

Kind Regards,



Long Shoot Resident



[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 05 November 2020 16:00  
**To:** [REDACTED]  
**Subject:** FW: Traffic Signals - A47 Long Shoot/Callendar Farm development

**Categories:** Sent to me

[REDACTED]

[REDACTED]

[REDACTED]

Engineer | Engineering Design Services | Environment Services

**Warwickshire County Council**

**T:** [REDACTED]  
**P:** Communities Directorate | Shire Hall Post Room | Northgate Street | Warwick | CV34 4SP

---

**From:** [REDACTED]  
**Sent:** 05 November 2020 15:36  
**To:** [REDACTED]  
**Cc:** marcus.jones.mp <marcus.jones.mp@parliament.uk>  
**Subject:** Traffic Signals - A47 Long Shoot/Callendar Farm development

I recently received notice of the plans to install traffic control signals per the above.

I have also just been reading about local residents anger to this plan - I fully understand that anger !

The Long Shoot is already an incredibly "traffic busy" road, with constant tail backs at peak times - once again, there appears to be little consideration for people who are already suffering high volumes of traffic, noise and no doubt pollution and air quality deterioration which will be exacerbated by further controls which will stall and increase traffic even further.


Having lived at the end of the Long Shoot for around 17 years now I can honestly say traffic volumes and flow (and accidents) have never been so high and poor - this was always seen as one of the higher quality areas to live in and around Nuneaton - **matched by the rateable values of properties**. We now seem to be the poor relatives and our overall quality of life and enjoyment in the area has depreciated with no apparent concern or consideration shown by the Council (or their development partners such as Highways England etc)

- What consideration and analysis has been given to these plans ?
- What about the other 4 or 5 new housing developments in and around the Long Shoot - further controls for them too ?
- **When are we going to see any positive developments** that actually reduce the traffic flows along this stretch of road (and improve both quality of life and safety of and for existing residents) ????

I have copied Marcus in because he is aware of long running and standing issues related to the A47/A5 - personal and more widely general.

Genuinely sick and tired of the state of the local area and the way we have been treated over the past few years, I look forward to hearing from you.



 The Long Shoot  
Nuneaton

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 05 November 2020 16:00  
**To:** [REDACTED]  
**Subject:** FW: A47 The Long Shoot with Callender Farm Residential Development Access Road, Nuneaton.

**Categories:** Sent to me

[REDACTED]

[REDACTED]

[REDACTED]

Engineer | Engineering Design Services | Environment Services

**Warwickshire County Council**

T: [REDACTED]

P: Communities Directorate | Shire Hall Post Room | Northgate Street | Warwick | CV34 4SP

---

**From:** [REDACTED]  
**Sent:** 05 November 2020 15:19  
**To:** [REDACTED]  
**Subject:** A47 The Long Shoot with Callender Farm Residential Development Access Road, Nuneaton.

Dear [REDACTED]

I live at number [REDACTED] The Long Shoot which is immediately opposite the Callender Farm access Road. My wife spoke with one of your colleague's last week who said you were having a meeting regarding concerns that have been raised about this junction.

Your colleague suggested we call back this week in order to find out if any updates or changes have been made. We have tried to contact you a couple of times and left a message on your voicemail, but unfortunately haven't heard back from you.

We have a few concerns as follows..

1. Getting in and out of our drive will obviously be extremely difficult (unsafe). If they were to extend the dropped kerb to no [REDACTED] across our frontage by about 3 metres it would make access into our property, when travelling towards Nuneaton, much easier and safer.
2. According to the plan there is a traffic light pole right next to the entrance to our drive, again making access difficult. Is this really necessary ?? We have noticed that the exit road from the Bellway site doesn't have traffic lights on the opposite side of The Long Shoot. The lights are only on the exit road side.
3. What provision has been made for turning into our and adjoining drives when travelling from Nuneaton towards the A5 ?? There doesn't appear to be any. Looks like an accident waiting to happen !!
4. There are 2 boxes marked on the plan. One on the verge in front of us and the other in front of 167. Could you tell me please what these represent. Also there currently is a green cable box on our verge which isn't marked on the plan. Is this being moved as obviously they will be unable to gain access to it ??

Page 2 of 2

We look forward to receiving your reply.

Yours sincerely

A solid black rectangular redaction mark covering the signature area.



## Statutory Criteria for Making Decisions on Pedestrian Crossings

1. Section 23 of the Road Traffic Regulation Act 1984 enables the Council to establish, alter or remove pedestrian crossings on roads.
2. Section 23 requires the Council to consult the Police and give public notice of before establishing, altering or removing a crossing and it is implicit that it must give proper consideration to any responses and keep an open mind.
3. Before making a decision, the Council is also required to have regard to the matters set out in section 122 of the 1984 Act.
4. Section 122(1) requires the Council to exercise the functions conferred on it by the 1984 Act as (so far as practicable, having regard to the matters specified in Section 122(2)) to secure the:
  - (a) the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians); and
  - (b) the provision of suitable and adequate parking facilities on and off the highway.
5. The matters in section 122(2) to which the Council must have regard are:
  - (i) the desirability of securing and maintaining reasonable access to premises;
  - (ii) the effect on the amenities of any locality affected, and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run;
  - (iii) the national air quality strategy prepared under Section 80 of the Environmental Protection Act 1995;
  - (iv) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles;
  - (v) any other matters appearing to the Council to be relevant.
7. Therefore, the structure of section 122 is that there are primary objectives in section 122(1) (movement and parking) tempered by the limitations of what is practicable if due regard is given to the matters in section 122(2).
8. The matters in section 122(2) include any other matters appearing to the Council to be relevant. Certain general duties towards people with disabilities can have particular relevance when making decisions on crossings.
9. Section 175A of the Highways Act 1980 provides that:

*In executing works in a street which may impede the mobility of disabled persons or blind persons highway authorities, local authorities and any other*

*person exercising a statutory power to execute works on a highway shall have regard to the needs of such persons.*

10. Section 149 of the Equality Act 2010 provides that:

- (1) *A public authority must, in the exercise of its functions, have due regard to the need to—*  
...
- (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*  
...
- (3) *Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—*
  - (a) *remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
  - (b) *take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*
  - (c) *encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.*
- (4) *The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*  
...
- (7) *The relevant protected characteristics are—*
  - age;*
  - disability;*
  - gender reassignment;*
  - pregnancy and maternity;*
  - race;*
  - religion or belief;*
  - sex;*
  - sexual orientation.*