

## DELEGATED DECISIONS BY CABINET MEMBER FOR ENVIRONMENT (INCLUDING TRANSPORT)

**Extract of the MINUTES** of the meeting held on Thursday, 9 October 2014 commencing at 10.30 am and finishing at 12.35 pm

**Present:**

**Voting Members:** Councillor David Nimmo Smith – Cabinet Member for Environment

**Other Members in Attendance:** Councillor John Sanders (Shadow Spokesman for Environment)  
Councillor Neil Fawcett (for Agenda Item 4)  
Councillor Sandy Lovatt (for Agenda Item 4)  
Councillor Richard Webber (for Agenda Item 4)  
Councillor Yvonne Constance (for Agenda Item 5)  
Councillor Charles Mathew (for Agenda Item 9)

**Officers:**

Whole of meeting G. Warrington (Law & Culture); M. Kemp (Environment & Economy)

Part of meeting

<b>Agenda Item</b>	<b>Officer Attending</b>
4.	D. Mytton (Law & Culture); D. Tole, A. Kirkwood & R. Santiago (Environment & Economy)
5.	L. Turner (Environment & Economy)
6.	D. Tole, M. Wasley and O. Payne (Environment & Economy)
7.	D. Tole & M. Ruse (Environment & Economy)
8. & 9.	T. Flanagan & N. Mottram (Environment & Economy)
10.	T. Flanagan (Environment & Economy)

*The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.*

**52/14 PETITIONS AND PUBLIC ADDRESS**

(Agenda No. 3)

<i>Speaker</i>	<i>Item</i>
Councillor Angela Lawrence – Abingdon Town Council Councillor Alice Badcock – Abingdon Town Council Anthea Norman-Taylor - Resident <i>(submission presented by Martin Bowes in her absence)</i> Samantha Bowring – Resident Anne Dodd – Resident Jacqueline Cooke – Resident Roger Bush – Resident District Councillor Dr Jim Halliday – Vale of White Horse DC District Councillor Matthew Barber - Vale of White Horse District Council County Councillor Richard Webber (Sutton Courtenay & Marcham) County Councillor Sandy Lovatt (Abingdon North) County Councillor Neil Fawcett (Abingdon South) Andy Cattermole (Taylor Wimpey)	Item 4 – Proposed Pelican Crossings – A415 Marcham Road and Ock Street, Abingdon

**53/14 PROPOSED PELICAN CROSSINGS - A415 MARCHAM ROAD AND OCK STREET, ABINGDON**

(Agenda No. 4)

The Cabinet Member for Environment considered (CMDE4) a report setting out objections and other comments received in response to re-consultation on a proposed new pelican crossing on Ock street and a re-located pelican crossing on the A415 Marcham Road, Abingdon arising from a proposed development of 159 dwellings on land adjacent to the B4017 Drayton road following an appeal decision granting planning permission by the Planning Inspectorate in 2013 which had included a condition that 'no development should take place until the crossing proposals had been implemented or the highway authority had confirmed they would be implemented.

The Cabinet Member explained that following a legal challenge to the decision he had taken on this matter in March the County Council had reviewed the process and considered that as the reasons for that decision had not been made clear it had been

decided to bring the proposals back to him for further and full consideration at this meeting.

Prior to hearing from the public speakers he then invited officers to set out the latest position since publication of the current report to include any additional papers which had been received. He also acknowledged additional emails which he and officers had received including a letter from the Abingdon Town Council.

Abingdon Town Councillor Alice Badcock stated that the already notorious traffic problems on Drayton Road would be exacerbated by these new crossings. Safety issues would also be created as moving the crossings did not come with a guarantee that children would use them and it was wrong to put lives at risk for the sake of 159 houses. Utility vehicles entering the MG gardens also presented an additional risk by needing to manoeuvre on the highway to gain entry. The Town Council had realised there could be a major accident if these changes went ahead and the County Council needed to be prepared to take full responsibility if that happened.

Abingdon Town Councillor Angela Lawrence stated that nothing material had changed since the decision in March and she disagreed completely with the officer recommendation as set out in the current report. She considered the current layout at the Ock Street/Spring Road junction was perfectly adequate but adding another crossing would worsen an already bad situation and would not reflect natural desire lines. The AbITS programme had gone a long way to improving air quality but these proposals would inevitably negate any improvements by increasing queues and congestion as well as endangering school children and creating safety issues.

Martin Bowes read out a statement on behalf of Anthea Norman-Taylor who had been unable to attend. Had the developers attended the meeting in March they would have heard first-hand the concerns expressed by local people and their elected representatives. Furthermore it was quite clear from the appeal decision documents that the Inspector had wanted a full public consultation to decide this matter and not him. The Inspector and developers had accepted there was already a serious traffic issue on the Drayton Road so it was difficult to understand why this was being proposed at all. She questioned the integrity of the computer modelling and the lack of common sense attributed to the proposal with regard to traffic movements particularly those turning right when the traffic lights on the Ock Street crossing had been called. She urged the Cabinet Member to listen to local opinion and knowledge and uphold his original decision.

Samantha Bowring handed in a petition in the following terms that '*we the undersigned request that Oxfordshire County Council decides to keep the Marcham Road crossing at its current site. It was put at its current site because that is the safest and most convenient crossing point for pedestrians and that is where it should stay*'. She went on to highlight the convenience of the original Marcham Road crossing which had been situated on a natural desire line. The County Council had a duty of care to allow for those who chose not to use the crossing and to support the work of the Vale of White Horse District Council to improve air quality. Both of those things would be under threat if this proposal went ahead and the crossing should remain in its current position.

Anne Dodd stated that this proposal had been motivated purely by a planning application for housing development with a complete disregard for safety. Drayton Road was already heavily congested and this proposal certainly wouldn't improve the situation but would merely move the problem elsewhere with local residents again the losers and housing developers the winners. She urged that a decision be taken which supported local democracy.

Jacqueline Cooke expressed a huge concern that children would inevitably take undue risks and moving these crossings as proposed went against the County Council's duty of care to protect those who took the shortest route. Barriers wouldn't help as guardrails would detract from the desire line and affect drivers by giving them a perception of increased safety. Also further developments in neighbouring areas of Drayton and Steventon would increase congestion problems in this area.

Roger Bush commented that in March 2014 someone had commented that this issue was not about road safety but about planning. That interpretation had been correct and this matter was only being considered in order to allow a housing development to proceed. He considered the safety audits unacceptable, that the crossings would be in the wrong place adding to already unacceptable queues of traffic and would serve only to worsen an already appalling local situation and therefore the only right decision would be to refuse the proposal to resite the crossings.

Vale of White Horse District Councillor Jim Halliday had represented the area as a District Councillor for 20 years and confirmed that the crossings had originally been sited in 1991 on clear desire lines. He expressed surprise at the submission of late documents and supported the view that children would be likely to take the shortest route with all the safety issues that that would create. The effects on air quality would be immense and additional stationary traffic would worsen an already bad situation, particularly in Spring Road. Traffic modelling was uncertain and if a decision was taken to go ahead to resite the crossing then it should be for a 2 month trial period in order to gauge its effects.

Vale of White Horse District Councillor Matthew Barber urged the Cabinet Member to support the Vale of White Horse District Council's objections submitted in March, particularly the Glanville report which had stated the new crossing would be less safe and would lead to increased traffic congestion. He endorsed Jim Halliday's comments regarding air quality and urged that the proposal to re-site the crossings should be rejected.

County Councillor Richard Webber referred to the confusion which existed as to why this matter was being reconsidered especially as the information currently before the Cabinet Member was the same as in March. He referred to issues regarding the South Abingdon development and developments associated with the Drayton Neighbourhood Plan, which included a proposed 250 houses which had received a lot of support. However, that could be put at risk by a housing development to which the County and District Councils had both objected and would have a huge impact on local traffic movements. He urged that the resiting of the crossing be resisted.

County Councillor Sandy Lovatt advised that the perception in Abingdon seemed to be that local opinion was often disregarded and this situation seemed to bear that

out. He felt that County officers had not taken into account the effects of this proposal on a strategic level. The application for 159 houses had been rejected by the Vale of White Horse District Council and this report centred on that issue and not Abingdon's problem as a whole. Abingdon had grown considerably and the County Council had invested £5m on systems to deal with its traffic and yet this scheme would go some way to negating that by causing traffic to back up into Abingdon. In his view there was sufficient evidence to refuse to resite the crossing but, at the very least, the proposal should be deferred until major network problems had been addressed.

County Councillor Neil Fawcett echoed the view that everything seemed to be in the favour of developers. He considered the issue of road safety had not been addressed adequately in the report and that clear guidance from the Department of Transport had not been mentioned as it should have been. Pedestrian desire lines were a key factor which needed to be taken into account and yet paragraph 16 of the report stated that re-siting of the current crossing further west would make the crossing less attractive and therefore by inference less safe as there was an expectation that pedestrians in particular children would continue to cross at the site of the existing crossing and he considered on that basis there was enough grounds to justify turning the proposal down. The report recognised how important local knowledge was yet it had made many assumptions regarding pedestrian movements. Paragraphs 24 and 25 stated all accidents had occurred where children were currently being encouraged to cross so it would be less safe to ask children to use a less safe route.

Andy Cattermole confirmed that issues regarding the crossings had been subject to detailed consideration by the Inspector who had concluded that the development with the associated off-site works would not have a detrimental effect on traffic conditions and commenting that Option 3 (the works for which consent is sought) should be provided to mitigate the transport effects of the scheme. He had also considered that Option 3 alone would provide relief to the Drayton Road entry to the junction whether pedestrians chose to cross on Ock street or Marcham Road and make proper provision for pedestrians and accommodate development traffic while avoiding a severe transport impact. A full safety audit as recognised in paragraph 15 of the officer report had not raised any significant issues. That had been the case in March and still was. Whilst there had been concerns raised regarding relocation consideration needed to be given to pedestrian movements in the vicinity of the site including to local schools. The report made it clear that of 3,500 residential properties south of the river Ock only 660 were on the western side of Drayton Road suggesting the majority of current users of the existing crossing would experience a reduction in the number of crossings of an A or B Class road. Representations also made significant reference to pedestrian movements associated with local schools. However, notwithstanding the comments raised for pedestrians attending Larkmead School whose journey started and ended on the west side of Drayton Road the works would reduce the number of crossings from 2 to 1. For those from the western side who would use the relocated crossing the increased length of time for the journey was just 45 seconds which could not be considered a material or detrimental change. Under the Road Safety guidelines the onus was on pedestrians to act reasonably which could be interpreted as travelling the short distance to the crossing point encouraged perhaps by provision of safety. There had been no objections from

statutory consultees and it was clear that the proposal was considered by experts to be safe. The planning objections had been addressed by the Planning Inspector and he asked the Cabinet Member to support the proposal.

The Cabinet Member thanked everyone for their submissions. As he saw it the main issues were:

- would crossings make it safer or less safe to cross the roads in question
- significant delays at junctions.

Mr Tole then addressed a number of key issues raised:

With regard to the wider Abingdon issue this matter needed to be seen in the context of how the County Council responded to the Planning Inspector's decision irrespective of whether the County Council liked it or not.

With regard to the Drayton Neighbourhood Plan a similar proposal was expected in order to deal with traffic connected with development. If the 159 houses in Abingdon did not go ahead but the Drayton development did then the traffic problem would still exist.

With regard to road safety he accepted children did not always behave in the same way as adults.

With regard to National Guidance regarding Safe Routes the assumption had to be made, which the report had done, that if a new crossing were put in then children, drivers and adults alike would all behave reasonably.

He confirmed that the proposal met the standards for a safe walkable route to school and that barriers along the whole length had been regarded as excessive.

With regard to access to the MG gardens it was accepted that vehicles would have to stop on the highway to gain access.

With regard to air quality issues it was difficult for the County Council to comment as it was not the monitoring authority and although there had been a comment from the Vale at the last meeting it had been difficult to assess as there had been insufficient empirical data.

He confirmed the accident information in paragraphs 24 and 25 suggested there had been a good record which others were arguing by inference would only get worse if the crossings were re-sited. That was not necessarily the case. The issue came down to providing a safe route and a well-designed crossing. With regard to the issue of using a crossing to control traffic the Inspector had been of the view that this was a suitable way to deal with extra congestion arising from this development. With regard to paragraph 16 and the new crossing being less attractive to users it seemed to him to come down to it involving a longer distance and it was difficult to predict who would use what. With regard to the effect on AbITS it had been stated that the crossings could be linked as part of general traffic monitoring. It had to be accepted that there would be more delays for eastbound movements. In conclusion the County Council's

hands had been partially tied by the Inspector's decision which the County Council had objected to but the County Council now had to work with.

Responding to a question from the Cabinet Member Mr Mytton confirmed that any decision would be open to challenge as had happened last time. A decision was now required in the light of previously available and new information.

Summing up the Cabinet Member confirmed that he had read the reports and all the technical information as published as well as submissions sent to him subsequently. He had listened to the views expressed to him in March 2014 and at this meeting and found the reports thorough and sound. He now needed to make a decision based on the technical information before him and the local representations as made to him in the context of whether the proposals made crossing safe or less safe and mitigated the effects of traffic from the new development. Planning permission for that had been granted so he was not here to discuss that.

Having regard to the arguments and options set out in the documentation before him including:

- that the proposed siting of the signal equipment would have no significant impact on adjacent properties
- a safety audit of the detailed design of the proposals had not identified any significant issues in respect of the proposed layout of the crossings
- officers had applied the Road Safety GB guidelines on walked routes to school and found that the proposals had met those guidelines
- no additional new technical evidence had been submitted since the appeal and in view of this there appeared to be no new valid grounds to re-investigate this matter
- there did not appear in the light of comments on traffic impact to be any significant concern over the effects of the proposals on air quality.
- A number of the consultation responses had suggested a trial to fully assess the traffic impact before permanent installation. However, as that impact had been discussed in detail during the appeal on the basis of the results of transport modelling to which the Inspector had concluded that he was satisfied with that modelling there were no grounds to revisit the earlier decision.

The representations made to him and the further considerations set out above the Cabinet Member for Environment confirmed that he had been persuaded to reverse his earlier decision and confirmed his decision as follows:

- (a) approve implementation of proposals for proposed pelican crossings on A415 Marcham Road and Ock Street, Abingdon as advertised;
- (b) monitor closely the safety performance and traffic delays following the completion of the works.