

		AGENDA ITEM 8
		PSEG/04/17
		Addendum
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 January 2017	
CALL IN OF DECISION - FP/686/12/16 PROPOSED ONE WAY 7.5 TONNES WEIGHT LIMIT ON OAK ROAD, RIVENHALL		
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As set out in the original report PSEG/04/17, on 12 December 2016 Councillor James Abbott called in decision FP/686/12/16 on a one way 7.5 tonne weight limit on Oak Road, Rivenhall.

In line with normal practice an informal meeting was held on 9 January 2017 when Councillor Abbott discussed his call in with Councillor Johnson, the Cabinet Member for Highways and Transport. A note of that meeting is attached at the Annex to this report.

As a result of the discussion Councillor Abbott confirmed that he would not withdraw his call in and so it would have to be considered by this Committee. However, he agreed with the Cabinet Member that it would be helpful for further details to be obtained on the issues raised by the objection before its consideration by the Committee took place. Although this approach is not in line with normal procedure both parties agreed that on this particular occasion a delay in proceedings would assist the Committee in more effective scrutiny of the decision based upon the reasons highlighted in the Notification of Call In.

Action required by the Committee:

The Committee is asked to note this report, and the delay in proceedings as agreed by both parties to the call in.

Annex
Note of Informal meeting held on 9 January 2016
regarding the Call In of a Decision reference FP/686/12/16
Proposed One Way 7.5 tonne weight limit on Oak Road, Rivenhall

In attendance:

Councillor James Abbott (Local County Councillor responsible for calling the decision in with the agreement of the Scrutiny Committee Chairman)
Councillor Andy Wood, Vice Chairman of Place Services and Economic Growth Scrutiny Committee
Councillor Eddie Johnson, Cabinet Member for Highways and Transport

Vicky Presland, Head of Design, Highways
Chloe Livingstone, Development Lead Officer within Design Services Highways

Jess Hayes, Cabinet Advisor
Christine Sharland, Scrutiny Officer

Councillor Wood welcomed everyone to the informal meeting that had been set up as part of the County Council's Call In procedure for the consideration of decision reference FP/686/12/16 namely to not implement a proposal for a one way (southwards) 7.5 tonne weight limit on Oak Road, Rivenhall. The decision was called in by Councillor Abbott, the local Member for Rivenhall, having sought the agreement of Councillor Louis, the Chairman of the Place Services and Economic Growth Scrutiny Committee.

Councillor Abbott was invited to explain the reasons for calling in the decision as set out in the Notification of Call dated 12 December 2016. In his introduction he drew attention to the lack of specific information on the grounds for the objection received to the proposed traffic regulation Order (TRO) and various incongruities in the background report to the decision. His points included the following matters:

- It is a longstanding scheme that has been supported by local residents, the Parish Council, and the Police. The proposed TRO would reduce the incidence of heavy goods vehicles (HGVs) having to pass other vehicles by driving on the footway. HGVs could continue to travel north on Oak Road and would not be displaced to a different route that would include travelling through Kelvedon and Feering.
- The proposed TRO had been published confirming that the proposal was in compliance with ECC policy, and as far as Councillor Abbott was aware the relevant policy had not changed in the meantime.
- There were local concerns about safety and indeed Rivenhall Parish Council had confirmed £5,000 towards the implementation of the scheme.
- Highways England cannot confirm the timing or phasing of improvements to the A12, or how they will impact upon Rivenhall. In practice those

improvements may or may not be implemented in 2020 at the earliest, but in the meantime the concerns about safety in Oak Road remain.

- The report referred to the objection of a local farmer to the proposed TRO based upon the problems he perceived the restriction would have upon access to his land. However, it was difficult from the report alone to identify the land concerned, the reasons for the objection, and why action could not be taken to resolve access concerns given that for the nearby existing two way 7.5 tonne weight restriction further along Oak Road the farmer has access. No information was provided on how many HGVs might need access off the affected length of road in any given time period, or if alternative means of access existed to the land in question. Councillor Abbott also challenged the assertion set out in option A in the decision report that the proposal could threaten the entire business of the farmer.
- Councillor Abbott pointed out that the farmer had raised similar access concerns associated with a separate Local Highways Panel scheme to widen the footway at a nearby railway bridge. In that case the scheme was implemented with amendments to accommodate the specific agricultural requirements requested, and was located within the existing stretch of 7.5 tonne weight restriction.
- Councillor Abbott challenged the low number of HGV figures referred to in the report, and why up to 16 additional HGVs would be diverted through Kelvedon and Feering if the proposal was implemented. Only HGVs that currently access the A12 northbound via Oak Road would be diverted. Those HGV drivers are trying to get on to the A12 northbound and would similarly do so via the Colemans bridge junction after being diverted. There is no reason given as to why such drivers would choose to turn off to Kelvedon and Feering when they have achieved their objective of getting on to the A12 northbound.

Vicky Presland, Development Manager Group Manager emphasised that this particular weight restriction was a complicated scheme, and in practice the supporting signage would be difficult and confusing to drivers. Furthermore its enforcement would not be forthcoming. She referred to discussion with the objector and his concerns about access, the detour route, and direct access onto the A12.

Councillor Abbott took the opportunity to seek clarification on the number of HGVs using Oak Road, because from his own experience there were more than 16 HGVs using the road daily as suggested in the report. With reference to the results of a survey undertaken between 12 and 16 August 2016, Ms Presland confirmed that an average of 16 HGVs travelled southbound on the length of road in question on one day, and 52 travelled northbound. Consequently a total of 68 HGVs used the road on any one day, of which 16 would be restricted by the proposal.

There was some discussion on the length of the diversion route, and it was confirmed that it was 2.6 miles. Councillor Abbott also referred to existing problems caused by HGVs travelling northbound on the A12 who turn into Fox Mead, a narrow cul de sac, and subsequently have to reverse out of that road. The proposed TRO

would curtail that problem. He felt that effective signage could be achieved because of the layout of the local highway network.

Councillor Johnson reiterated the reasons why he had decided not to implement the proposal referring to the small number of HGVs affected (i.e. 16), no recorded accidents, the diversion route, and signage problems associated with the proposal – the Police had emphasised that signage needed to be clear to drivers as enforcement would not be forthcoming. He had taken into account the relevant criteria and protocols too. Furthermore there was uncertainty about Highway England's intention for A12 improvements at Rivenhall.

As the meeting drew to a close Councillor Abbott confirmed that he was representing local residents' concerns, and their wish for the scheme to be implemented. Taking into consideration the information discussed he would not withdraw his call in and therefore it would have to be referred to the full Committee.

Councillor Johnson appreciated that there was local concern about conditions in Oak Road around its use by HGVs. While recognising Councillor Abbott's decision to take the call in to the Committee, he suggested that before doing so Highways Officers should obtain further information to clarify issues around the grounds for the objection. Councillor Abbott agreed that it would be beneficial to have more detailed information for the Committee's scrutiny of the decision.

Although this situation was unusual, the Cabinet Member and Member calling in the decision both agreed that it was appropriate to delay further scrutiny of the call in pending the receipt of further relevant evidence.

The Scrutiny Officer pointed out that the Committee's next meeting was on 17 January, and all parties agreed that it would be premature for the call in to be resolved at that meeting. The following scheduled meeting was on 23 February, and in discussion with both parties and the Chairman of the Committee consideration would be given to including the matter on that agenda.
