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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



**Cyfarwyddiaeth y Prif Weithredwr / Chief
Executive's Directorate**

Deialu uniongyrchol / Direct line /: 01656 643148 /
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Gofynnwch am / Ask for: Michael Pitman

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Thursday, 18 July 2019

Dear Councillor,

SPECIAL APPEALS PANEL

A Special meeting of the Appeals Panel will be held in the Council Chamber, Civic Offices Angel Street Bridgend CF31 4WB on **Wednesday, 24 July 2019** at **16:00**, or immediately after the meeting of Council, whichever is later.

AGENDA

1. Exclusion of the Public

The report relating to the following item is not for publication as it contains exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007.

If following the application of the public interest test that the Panel resolves pursuant to the Act to consider this item in private, the public will be excluded from the meeting during such consideration.

2. Approval of Exempt Minutes

3 - 22

To Approve the minutes of the Appeals Panel of the following dates:

3 August 2017

5 December 2017

Yours faithfully

K Watson

Head of Legal and Regulatory Services

Councillors:

N Clarke

DRW Lewis

Councillors

JR McCarthy

NA Burnett

Councillors

JE Williams

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APPEALS PANEL - THURSDAY, 3 AUGUST 2017

MINUTES OF A MEETING OF THE APPEALS PANEL HELD IN COMMITTEE ROOM 1 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 3 AUGUST 2017 AT 10:00

Present

Councillor JR McCarthy – Chairperson

DRW Lewis JE Williams

Officers:

Katia Daw	Lawyer
Julie Ellams	Democratic Services Officer - Committees
Jason Jenkins	Investigating Officer
Zak Shell	Head of Neighbourhood Services
Dennise Thomas	Senior Advisor Employee Relations (HR)
Michelle Willmer	Senior Advisor Employee Relations

7. DECLARATIONS OF INTEREST

None

8. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 the following item is not for publication as it contains exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A of the Act:-

Following the application of the Public Interest test it was resolved that in all the circumstances the public interest in maintaining this exemption outweighed the public interest in disclosing the information, because disclosure of the information at this time would be prejudicial to the Appellants case.

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By virtue of paragraph(s) 12 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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MINUTES OF A MEETING OF THE APPEALS PANEL HELD IN COMMITTEE ROOMS 2/3 - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 5 DECEMBER 2017 AT 11:30

Present

Councillor JR McCarthy – Chairperson

N Clarke

NA Burnett

Officers:

Mark Galvin

Senior Democratic Services Officer - Committees

Tony Godsall

Traffic & Transportation Manager

Keith Power

Traffic Management Officer

Jane Dessent

Lawyer

13. DECLARATIONS OF INTEREST

None.

14. INTRODUCTION OF A ONE-WAY SYSTEM ON CRESCENT ROAD, SARN, TO COMPLEMENT THE INTRODUCTION OF A SIGNALISED JUNCTION ON HEOL GANOL, HEOL CWRDY, HEOL CANOLA AND BRYNCOCH ROAD, SARN

The Chairperson welcomed all those present to the meeting, and the necessary introductions were made.

He then read out for the benefit of those present, the procedure that would be followed at today's meeting, commencing with the Highways Officers presenting their report.

The Legal Officer made a point of clarification, namely that the Panel would today consider both the case for the Highway Authority and the objector, and in turn then make a decision in respect of the matter that was before them, after weighing up the evidence before them both in the report, and anything further given verbally at the meeting.

The Traffic and Transportation Manager confirmed, that the purpose of the report, was to seek a resolution to the formal objection received in relation to the proposal to introduce a One-Way traffic system on Crescent Road, Sarn.

By way of background information, he advised those present that a statutory public notice in respect of the proposed closure of the existing Brynmenyn Primary School and the establishment of a new school to serve its traditional catchment area, was published on 25 June 2015. This proposal had been subject to the approval of Cabinet.

As part of the above proposals, planning consent was then granted on 30 September 2016, subject to a number of Conditions being attached to such consent.

Paragraph 3.5 of the report outlined Condition 19 of the above consent, which was as follows:-

“No development shall commence until details of the extended access road into the school site from the junction with the access to Coleg Cymunedol y Dderwen and improvements to the Heol yr Ysgol/Bryn Road and Heol Cwrdy/Heol Canola junctions have been submitted to and approved in writing by the Local Planning Authority. The

development shall be constructed in accordance with the approved details, and the school shall not be brought into beneficial occupation, until the improvement works have been implemented.

Reason: In the interests of the safety and free flow of traffic.”

The Traffic and Transportation Manager advised that the purpose of this Condition, was to improve the strategic junctions to the school, in order to improve the free flow of traffic and pedestrian safety at those junctions. The junction that was relevant for the Appeals Panel to consider, was the one located at Heol Cwrdy/Heol Canola, Sarn, he added.

He then advised that in order to comply with the above planning consent Condition, a variety of configurations were considered, and the final scheme proposed at the junction of Heol Cwrdy, Heol Canola, Heol Ganol and Bryncoch Road, would include traffic signals to control traffic, together with pedestrian crossing facilities. In order to facilitate the safe operating of the traffic signals, it was proposed that a one-way-system be implemented on the eastern end of Crescent Road, from its junction with Heol Ganol to its junction with Heol Ynysawdre, south east to west (Appendix A1 to the report referred).

The Traffic and Transportation Manager stated that there was no requirement to consult on the placing of traffic signals at the above location, as the Highways Act 1980 permits highway authorities to undertake work on the highway network without the need to formally consult. There was however, a requirement to consult in order to implement the proposed one way system in Crescent Road, under the Road Traffic Regulation Act 1984.

He proceeded by advising Members, that in accordance with the relevant legislation a letter outlining the proposal to introduce a one-way traffic system on Crescent Road was sent to statutory consultees in June 2017 (Appendix A to the report). At the same time, the letter was sent to a wide range of additional persons/organisations, including owners of all properties fronting onto Crescent Road, and properties likely to be affected in Heol Ganol, Heol Ynysawdre, Heol Cwrdy and Bryncoch Road. This was an attempt to prompt objections/comments on the proposal at a stage where it would be possible with focussed discussion, to design out any potential objections during the formal consultation stage. The covering letter requested that any written comments should be submitted within 21 days of the date of the letter of 15 June 2017. Therefore, submissions needed to be received by the 6 July 2017.

Appendix A1 to the report detailed a plan showing the location of the proposal, as well as the properties that were consulted in respect of the one-way system in yellow, though this plan was not sent as part of the consultation letter referred to in paragraph 4.3 of the report.

The Traffic and Transportation Manager advised that as a result of the initial consultation for the proposed scheme, no representations had been received.

He further explained that accordance with the relevant legislation, , consultation letters and notice were sent to statutory consultees and those affected residents in Heol Ganol, Heol Ynysawdre, Heol Cwrdy and Bryncoch Road in August 2017. In addition notices of the proposal were exhibited at key locations on site (Appendices B and C of the report referred). He advised that a copy of the proposed Order was contained at Appendix C1 of the report.

As a result of the formal consultation for the scheme, 3 representations were received as follows:-

- A letter of support from South Wales Police (Appendix D to the report);
- Two letters of objection from affected residents (Objector No 1 -Appendices E and objector No.2 -Appendix F of the report)

Paragraphs 4.8 of the report, then outlined the points of objection raised by Objector No. 2, and the responses to these made by the Highways Department, and these were expanded upon by the Traffic and Transportation Manager at the meeting for the benefit of Members.

The next section of the report advised that Officers from the Highways Department then met up with both the objectors, in order to identify a resolution to the objections so made arising from which, Objector No. 1 withdrew their objection to the proposal upon agreement to extend the dropped kerbs in front of the objector's driveway (Appendix G of the report referred).

Objector No. 2 however, was subsequently re-visited by an Officer of the Highways Department, and this resulted in her sending a further letter of objection to the proposals dated 4 October 2017 (Appendix J to the report referred) and paragraph 4.12 of the report outlined the points made in respect of this objection, together with the responses to these from the Highways Department.

Other possible options were then considered by the Highways Department as a result of the letter of 4 October 2017, however, it was ultimately concluded that the original proposal was the most effective method of improving pedestrian safety on all 4 arms of the junction at the above location, especially with regard to children travelling to schools together with improved road safety issues that were presently being experienced at the junctions effected. Therefore, it was decided that there was no latitude within which to agree an alternative compromise solution with Objector No. 2, and that the matter would therefore be required to be referred to the Appeals Panel for determination.

Further correspondence was then received from Objector No. 2 (Appendix L of the report refers), however the Traffic and Transportation Manager confirmed that these were not appropriate for the Panel to consider, in that they related to the installation of traffic signals/temporary works/temporary traffic management issues, as detailed in paragraph 4.15.1 and 4.15.2 of the report.

Dialogue between Objector No. 2 and the Highways Department continued, with a view to disseminating the issues raised by her, in order to clarify those matters that fell under the remit of the Appeals Panel, as opposed to those that did not.

The Traffic and Transportation Manager wished to advise Members, that no other objections to the Council's proposals had been received, including any from emergency services, bus companies, disabled groups, and more particularly, other residents of Crescent Road.

In summary therefore, he confirmed to the Panel that Officers fully accepted that the objector had a right to object to the proposed introduction of a one way traffic system on Crescent Road, and that the objectors concerns needed to be put forward to the Panel, as Objector No. 2 had not withdrawn their objections despite considerable debate having taken place in respect of her concerns with Highways Officers.

He reiterated that the issues at the junction concerned had also been under considered for a number of years, during which various options had been put forward..

After due consideration had been given to all options explored, it was felt that the most appropriate improvement at the junction referred to would be to provide a set of traffic signals.. This it was felt, would increase child safety to/from school. It was also felt that improved road safety measures were required at the junctions within this location, and to address these, it had been agreed that a 4 arm signalised junction was the preferred option by which to optimise the free flow of traffic within this and the immediate surrounding areas.

A Member asked if a Desk Top Traffic Flow analysis had been undertaken. The Traffic and Transportation Manager advised that an analysis had been made based on the traffic assessment completed as part of the school programme. The member asked if the assessment was based upon both current and future use, given that the roads would be busier in future years. The Traffic and transportation Manager confirmed yes, this was the case, both for the present time and for a period up to 10 years into the future.

The Chairperson then invited Ms. L. Randall (Objector No. 2) to outline her representations and objections to the Highway Authority's proposals at Crescent Road for the benefit of the Panel.

Mrs. Randall confirmed that she had changed her view on the proposals to a degree, in that it was her opinion that a 5 arm signalised junction was a better option at Crescent Road, in order to improve traffic flow in/around this location. She confirmed also that that a large section of this road was to a degree obstructed by drivers of vehicles, in that a number of properties within this street had high hedges situate on the boundaries of their properties. She added that older people also lived within this location, and that some of the measures she proposed would address safety issues for not only drivers of vehicles that travel through this street, but pedestrians/residents that also walked within this area. She added that her sister had sadly died as a result of a road traffic accident, and therefore, vehicular/pedestrian safety was of paramount importance to her. She also felt that a permanent road safety system put in place, would be much improved to that of any temporary solution, and that the 4 arm system the Highway Authority was proposing, compromised safety issues for pedestrians and road users alike. She added however, that if a formal crossing was agreed to be provided at Crescent Road for the safety of pedestrians, then despite her other concerns and reservations she had raised previously, she would be in agreement with all the other intended works proposed to be implemented.

A Member sought clarification if the proposed one-way system from Crescent Road would come off Heol Ganol and proceed down that street. She felt that if this were the case, then why couldn't a pedestrian crossing be provided at this location. If this were provided, this would then assist in reducing the speed of traffic proceeding down a one way street, and stop drivers of vehicles looking to 'jump' traffic light signals. The preferred option as far as she could see, would just result in more traffic being generated from 4 different directions into a one-way system.

The Traffic and Transportation Manager advised that the 4 arm system as preferred by the Highways Department, would assist vehicles travelling through the junctions in the vicinity . The proposal suggested above by one of the Panel Members, would necessitate the provision of a 5 arm signalised junction he added. However, in order to allow for a better free flow of traffic and improved pedestrian safety, a 4 arm signalised junction was the preferred option. He felt that Members should also note that there was also a relatively small flow of traffic within Crescent Road, and this was another reason why the 4 arm system had been preferred.

Mrs. Randall confirmed that pedestrian traffic had increased within the general location subject of discussion, including at Crescent Road, and she did not wish for an accident

to occur before any proposals agreed by the Panel at this location were properly put in place, and in turn, revisited following an agreed trial period.

The Traffic and Transportation Manager confirmed that a controlled pedestrian crossing would improve the safety of pedestrians and residents crossing safely at Crescent Road however, a one-way system would also be required on Crescent Road..

The Traffic Management Officer added that a crossing facility could be provided in Crescent Road however it would be a push button pedestrian facility with no traffic light heads , however, a one-way system would be required at Crescent Road in order to improve traffic flow and pedestrian safety within this locality.

A Member further raised the concern over pedestrian safety when vehicles would be turning into Crescent Road, adding that vehicle speeds would be faster then, than if the one-way system was in the other direction, therefore making it dangerous for pedestrians to cross without a signalised controlled crossing point. She did accept however, that a 4 arm traffic controlled junction would increase traffic flow through this junction, but that a 5 arm facility with a pedestrian phase across Crescent Road would improve pedestrian safety.

The Traffic Management Officer added that whatever was decided upon, consideration had to be given to there being a free flow of traffic within Crescent Road at all times.

The Traffic and Transportation Manager wished to clarify to those present, that any traffic light signal junctions that were to be put in place in the area of Heol Ganol, Heol Cwrdy, Heol Canola and Bryncoch Road, would be installed in such a way that the Red, Amber and Green lights would come on sequentially and at different times within these locations, in order to accommodate the safe flow of traffic at all these locations where they were deemed to be required. These timings would be calculated by Road Technicians he added, using a special data model.

A Member asked when the works proposed and agreed upon would be completed. The Traffic and Transportation Manager replied that it was intended to complete the works by the end of the current financial year.

At this stage of the proceedings, the Chairperson asked both parties to sum-up their respective submissions starting with the representatives of the Highways Department.

The Traffic and Transportation Manager confirmed that if Mrs. Randall agreed to a 4 arm signalised junction being provided (including a one-way system at Crescent Road) as recommended by Officers, then he would ensure that as a Condition of these works that a formal pedestrian crossing would also be provided in the vicinity of No. 1 Crescent Road, as requested by the objector.

Mrs. Randall confirmed that other objections and/or representations that she had previously made she would agree to withdraw, on the condition that in order to minimise the safety of pedestrians at Crescent Road, a traffic light pedestrian crossing be provided there, as had now been confirmed by the Traffic and Transportation Manager.

The Traffic and Transportation Manager concluded debate in the meeting by confirming that he, on behalf of the Highway Authority, would ensure that this request is accommodated.

The Panel then retired to consider the matter further, whereupon on their return, it was

RESOLVED: That the Panel :-

- (1) To reject the objection submitted by Objector No. 2 ie Ms. L. Randall in respect of the proposed introduction of a one-way traffic system on Crescent Road, between Heol Ganol and Heol Ynysawdre, and approve the making of an Order as contained in Appendix C1 of the report, subject to the provision of a push-button controlled pedestrian crossing facility linked to the traffic lights in the vicinity of No. 1 Crescent Road, Sarn as agreed at the meeting.

The meeting closed at 13:05