

Minutes

Petition Hearing - Cabinet Member for Planning, Transportation and Recycling

Wednesday, 25 May 2011

Meeting held at Committee Room 3 - Civic Centre,
High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

	<p>Members Present: Councillors Keith Burrows</p> <p>Officers Present: Steve Austin – Principal Engineer, John Fern – Highways Inspection Manager (Acting), Jamie Birch – Senior Manager Street Environment and Traffic Manager and Gill Brice – Democratic Services Officer.</p> <p>Also Present: Councillors Beulah East, Neil Fyfe, Dave Allam, Ray Graham.</p>	
7.	<p>To confirm that the business of the meeting will take place in public.</p> <p>It was confirmed that the meeting would take place in public.</p>	
8.	<p>PETITION AGAINST ZEBRA CROSSING IN FRONT OF 320 KINGSHILL AVENUE, HAYES</p> <p>Councillors Beulah East and Neil Fyfe attended as Ward Councillors in support of the petitioners.</p> <p><i>Concerns, comments and suggestions raised at the meeting included the following:</i></p> <ul style="list-style-type: none">• <i>Parents /carers would find the shortest route to the school.</i>• <i>Some residents have disability badges and need to park close to their homes.</i>• <i>Half of the path would be taken up by raised pavement resulting in difficult access to the front gate of the property to the detriment of the disabled occupier.</i>• <i>Zebra crossing was a good idea but this was not felt to be the most suitable location.</i>• <i>Yellow lines had been asked for but had never been put in.</i>• <i>The location of the proposed crossing would be close to Frogmore Avenue and Bradenham Road and as nobody currently crosses at this point it was felt it would not be used.</i>• <i>There were concerns about the speed of traffic coming from Park Lane into Kingshill Avenue.</i>• <i>There would be no parking for residents if the crossing was located at the proposed site due to barriers that would need to be erected.</i>	<p>Action By:</p> <p>Steve Austin</p>

- *A way forward would be for the crossing to be located where the current island was or a Pelican crossing in Park Lane instead of Zebra crossing in proposed location.*
- *The number of accidents in the area was more than was stated in the report.*

Councillor Keith Burrows listened to the concerns of the petitioners and responded to the points raised. The Cabinet Member referred to a letter he had received from Hayes Park School. The letter stated that a school crossing was needed but were mindful that they were part of the community. The concerns raised about the crossing would be difficult balance.

The Cabinet Member made reference to the independent safety audit that had been carried out, which raised a number of concerns in regard to speed of traffic in the area.

The Cabinet Member advised those present that he would not formally approve the installation of the crossing at the proposed location, but would discuss alternative options with officers. The views of residents, the school and stakeholders would be taken into account when looking at alternatives and Ward Councillors being involved in the process.

Resolved - That the Cabinet Member:

- 1. Met with the petitioners to discuss in greater detail their concerns regarding the location of the proposed zebra crossing on Kingshill Avenue.**
- 2. Considered the views of the petitioners and other stakeholders when deciding subsequently upon whether or not he formally approved the location of the proposed pedestrian crossing.**
- 3. Instructed officers in Highway Maintenance to inspect the condition of the footway in Kingshill Avenue.**

Reasons for recommendation

The Council wishes to consider the views of residents when designing road safety measures. The petition hearing will provide an extremely valuable opportunity to hear directly from the petitioners of their concerns and suggestions.

Alternative options considered / risk management

These can be discussed in greater detail with petitioners

<p>9.</p>	<p>PETITION REQUESTING THE OPENING OF THE PUBLIC RIGHT OF WAY AT RAF UXBRIDGE</p> <p><i>Concerns, comments and suggestions raised at the meeting included the following:</i></p> <ul style="list-style-type: none"> • <i>The Public Right of Way from Vine Lane to St Andrews Gate was a convenient pedestrian route, only 12 minutes walk from Uxbridge Station.</i> • <i>Following the security alerts in 1988 the vehicular access and Public Right of Way was stopped through the site.</i> • <i>At the time the footpath was closed the reasons were for safety of personnel on the site.</i> • <i>Assurances had been given that the footpath would be opened but so far this had not happened.</i> • <i>When the Ministry of Defence (MoD) handed over the site to the developer the petition was submitted to the MoD and Hillingdon Council for the footpath to be re-opened.</i> • <i>The footpath remaining closed had an impact on children attending St Andrews School as it was further to walk.</i> • <i>Residents in the Vine Lane drove their children to school rather than walk, which added to increase traffic and pollution.</i> • <i>Residents in Keith Park Road no longer had access to the electronic gate.</i> • <i>Alternative route for pedestrians was hazardous.</i> • <i>The Highway Authority clearly does not agree with the long term closure of the footpath.</i> • <i>There was a duty for the Highways Authority to protect the footpath and remove any obstruction to enable it to be used by residents. .</i> • <i>Local residents had the right to take the Council to Court to ensure that they undertake their statutory responsibilities.</i> • <i>The Planning Authority had not complied with guidance in the Department for Environment, Food and Rural Affairs (Defra) Rights of Way Circular 1/09</i> • <i>Asked the Cabinet Member to take up with the Planning Authority that public rights of way are identified in planning applications and the guidance in the Defra Rights of Way Circular 1/09 is complied with.</i> • <i>That once the footpath was re-opened that the footpath be diverted at all times when any closure of the footpath was required.</i> • <i>There had been recent events that the Cabinet Member needed to be aware as discussions were ongoing with VSM the developer for the site for the re-opening of the footpath.</i> <p>○ <i>After letters with VSM and Hillingdon Council over the</i></p>	<p>Action By:</p> <p><i>John Fern</i></p>
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last 12 months agreement had been reached for the footpath to be re-opened.

- *The condition of opening the footpath was that it would be closed for demolition work on site.*
- *Work had progressed for the re-opening as posts for the chain link fencing had already put in place on part of the site.*

The Cabinet Member listened to the concerns and the points made by those present at the meeting and asked officers to comment on the issues raised in relation to the re-opening of the footpath.

Officers advised that he had met with the owners of the site on 4 occasions and felt that they did not fully understand the Public Rights of Way law. They had now set out their intentions for the footpath and as stated work had already begun to fence the footpath to enable it to re-open. Fencing of the footpath was being provided to protect those residents using the footpath and the also those working on then site. Officers were confident that the footpath would be re-opened in two weeks time. The petitioners present were advised that if there were any future problems with the footpath that they should contact John Fern so that it could be dealt with appropriately.

Officers further stated that there would be occasions when the footpath would need to be stopped up but this would be done legally and where possible an alternative diversion put in place. Concerns had been raised about security but it had been confirmed that the footpath would be open 24 hours a day and appropriate steps would be taken if any Anti Social Behaviour occurred.

The Cabinet Member thanked the petitioners and officers for the valuable update on the current position on the re-opening of the footpath. The re-opening of the footpath was moving in the right direction and it was envisaged that it would be fully opened in two weeks as required by the petitioners.

The Cabinet Member agreed to take up the planning concerns that had been raised by one of the petitioners.

Resolved - That the Cabinet Member;

- 1. Met and discussed with petitioners their request to re-open the Public Right of Way U63.**
- 2. Instructed Officers to take the appropriate action to facilitate this request.**

Reasons for recommendation

	<p>The recommendation reflects the views of local residents and meets the Council's legal obligation as the Highway Authority to protect the rights of the public to use the Right of Way.</p> <p>Alternative Options Considered</p> <p>There are no alternatives to consider as failure to re-open this Right of Way will constitute an obstruction to the public as planning permission has not yet been approved and appropriate Legislation to temporarily divert or 'stop up' the route while development takes place cannot be considered at this present time.</p>	
<p>10.</p>	<p>PETITION REQUESTING THE CONSTRUCTION OF A PROPER TARMAC FOOTPATH ALONGSIDE THE APPROACH TOT HE WILLOW TREE MARINA, YEADING</p> <p>Councillor Dave Allam attended the meeting as Ward Councillor in support of the petitioners.</p> <p><i>Concerns, comments and suggestions raised at the meeting included the following:</i></p> <ul style="list-style-type: none"> • <i>Believed that a footpath was urgently required to provide safe pedestrian access to the Marina.</i> • <i>There was currently no footpath for 100 metres.</i> • <i>Do not agree with the statement the road to the marina did not generate significant levels of vehicular traffic. The road provides access to 100 narrow boats, a restaurant, day nursery and nature reserve within the Marina. .</i> • <i>There was a risk to the children who attend the nursery and live on the narrow boats.</i> • <i>There were no buses serving this area as the bus terminates at Tesco.</i> • <i>The shrubs were not maintained obscuring the narrow road.</i> • <i>The vegetation had no ecological or aesthetic value.</i> • <i>The road was a hazard in the winter as it was rarely gritted.</i> • <i>There had been many vehicle accidents as the road had blind spots.</i> • <i>The petitioners had the support of the local Member for Parliament and the Community Support Officer.</i> • <i>The provision of a footpath had not been investigated properly.</i> • <i>Provision of a footpath would provide pedestrian safety.</i> • <i>If some of the shrubs were taken away there would be sufficient space for a footpath.</i> <p>The Cabinet Member listened to the points raised and asked officers for their views on the proposal suggested by the petitioner. Officers advised that it would be feasible to provide a footpath</p>	<p>Action By:</p> <p><i>Jamie Birch</i></p>

	<p>where the shrubbery was currently. There would need to be further investigation prior to any decision being made as the footpath would be on Green Space land and not adopted highway.</p> <p>The Cabinet Member agreed the recommendations in the report and instructed officers to undertake a full 7 day, 24 hour traffic survey.</p> <p>Resolved - That the Cabinet Member:</p> <ol style="list-style-type: none"> 1. Met and discussed with petitioners' concerns regarding pedestrian access to Willow Tree Marina and in particular Quayside Bistro from West Quay Drive. 2. Noted the lack of space available for footway provision within the existing public highway and the consequent impact any proposals to construct a new footway adjacent to the highway will have on the adjacent green space. 3. Instructed officers to investigate feasible options to address the concerns of the petitioners and report back to the Cabinet Member and Ward Members on the findings. 4. Instructed officers to undertake a full 7 day, 24 hour traffic survey. <p>REASONS FOR RECOMMENDATION</p> <p>To allow the Cabinet Member to discuss further with petitioners.</p> <p>ALTERNATIVE OPTIONS CONSIDERED</p> <p>None at this stage.</p>	
11.	<p>PETITION TO SAVE THE BEECH TREE OUTSIDE 63 BEECH AVENUE, RUISLIP</p> <p><i>Concerns, comments and suggestions raised at the meeting included the following:</i></p> <ul style="list-style-type: none"> <i>• The petitioner circulated document setting out the concerns and suggested solution.</i> <i>• The report does not mention the road was a cul-de-sac.</i> <i>• Historically Beech Avenue was lined with trees but as trees were removed they were not replaced.</i> <i>• Does the cost of removing the tree include the cost of resurfacing?</i> <i>• Removal of the tree will not improve the situation for</i> 	<p>Action By:</p> <p><i>Jamie Birch</i></p>

Pushchairs and wheelchairs as there would still be a problem with existing street furniture.

- *Access gates on Beech Avenue were pegged open onto the footpath causing obstruction for pedestrians.*
- *There was a danger of pedestrians falling as there would be an incline on the repaired pavement so it would be safer to walk in the road.*
- *Path was a mixture of paving slabs and tarmac.*
- *Beech Avenue was a cul-de-sac much used by pedestrians as Footpath R161 crosses at the top of Beech Avenue.*
- *It was the narrowness of the footpath that was causing the problem. There were only 8 houses past the tree to be removed and the only vehicles accessing this part of Beech Avenue were residents and their visitors.*
- *It was suggested that the footpath could be extended into the carriageway to avoid having to remove the tree. .*
- *Consideration should also be given to Beech Avenue becoming a Home Zone.*
- *If the tree was removed the Avenue would lose its historic character.*
- *Asked the Cabinet Member to look at all the options put forward.*

Councillor Keith Burrows listened to the concerns and points raised by the petitioner and asked officers to comment on the options put forward by the petitioner.

Officers advised that the cost referred to in the report was only in relation to the removal of the tree. The reason for removal of the tree was due to the root damaging the footway and becoming uneven and unsafe for pedestrian users. The Council has a duty of care under the Section 41 of the Highways Act 1980, to ensure safe pedestrian passage. The petitioner's suggestion of Beech Avenue being made a Home Zone had not been considered.

The Cabinet Member stated that he would not agree to the tree being removed at this stage and deleted recommendation 2 and added a new recommendation in its place. The Cabinet Member stated that Officers had already highlighted the Council's duty of care and this must be taken into consideration when a decision was made. The new recommendation would be to instruct officers to take into account the petitioners concerns and the options they put forward and report back prior to a final decision being made on the removal of the tree. The Cabinet Member advised those present that the outcome may still be that the tree was removed.

Resolved - That the Cabinet Member:

	<p>1. Met and discussed with petitioners’ their concerns regarding the removal of the beech tree located outside No. 63 Beech Avenue, Ruislip.</p> <p>2. Instructs officers to into account the petitioners concerns and the option put forward to build out the footpath around the tree and report back to the Cabinet Member and Ward Councillors before making a final decision to remove the tree.</p> <p>Reasons for Recommendation</p> <p>The proposed removal of the beech tree located outside No. 61/63 Beech Avenue will improve pedestrian access on Beech Avenue and reduce the risk of tripping accidents associated with the current uneven footway.</p> <p>Alternatives Options Considered</p> <p><i>No root grinding, resurface footway:</i> unfortunately given the extent of root growth it is not feasible to simply resurface the footway as the surface would still be too uneven and unsafe for pedestrian access.</p> <p><i>Root grinding, resurface footway:</i> the height difference between the surrounding footway and standing by the tree is such that if we were to reduce this height difference to an acceptable amount from a pedestrians safety perspective the damage to the tree would result in terminal decline and death of the tree. The tree would become unstable and prone to topple over.</p> <p><i>Grass over footway to become verge:</i> this considered option was to leave all roots intact, grass over the area and allow it to become a grass verge rather than a footway. However as stated above the Council has a duty to maintain the footway to a standard that is “fit for purpose” and therefore will not be allowed to “stop up” the footway unless a stopping up order is made. Stopping up this part of the highway is not considered to be a desirable or practical solution.</p> <p><i>Grass over footway to become verge, construct current verge as footway adjacent to boundary wall of 61 Beech Avenue:</i> constructing the footway in place of the current verge would only be at best a temporary solution as the roots also run through the verge and would affect the newly constructed footway. Construction of the footway adjacent to number 61 would also impact on the property at 61 and require the Council to make adjustments to the private boundary wall. The construction of the footway in this location may also have drainage implications that may affect number 61 Beech Avenue.</p>	
12.	PETITION REQUESTING ROAD RESURFACING AND	Action By:

PAVEMENT REPAIRS IN DOLLIS CRESCENT, RUISLIP

Councillors Ray Graham attended as Ward Councillor in support of the petition.

Concerns, comments and suggestions raised at the meeting included the following:

- *The road surface was currently in a poor condition.*
- *Piecemeal repairs of the carriageway had been undertaken over many years.*
- *Patching of the carriageway was not a viable option.*
- *Recognised that there were financial constraints but re-surfacing must be the most cost effective solution.*

Councillor Keith Burrows listened to the concerns of petitioners and stated that it was clear that re-surfacing was now required. The exact date when the resurfacing would be undertaken was not known but advised the petitioners that it would be within this financial year.

RESOLVED: That the Cabinet Member:

- 1. Considered the petitioners' request and discussed with them in detail their concerns regarding the condition of the carriageway surface.**
- 2. Instructed officers to place Dollis Crescent on the list for roads being considered for treatment in a future re-surfacing programme.**

REASONS FOR RECOMMENDATION

The existing carriageway surface has deteriorated to the extent that shallow fretting has taken place in isolated areas of the carriageway. This is due to the natural ageing of the surface and the surface dressing that has been applied over the original layer. Past patching has filled some of the worst fretting but only as medium term measure. The road profile is "bumpy" in places and service trenches have sunk at a number of locations. In areas the surface has worn away resulting in shallow ruts and general unevenness. Resurfacing would improve the visual appearance of the road and improve the ride quality.

ALTERNATIVE OPTIONS CONSIDERED

	<p>Further patching works: However this option has been discounted given the level of deterioration and that it does not offer the most economic solution. Delaying or not undertaking certain schemes may place additional pressure on the Councils financial resources if highway permanent repairs are not implemented in a timely manner. In many instances, the delay of schemes may also have safety implications with possible consequent impact on the public liability insurance budget.</p> <p>Officers consider that the carriageway surface is now beyond normal patching repair and that resurfacing is the only option available to restore a smooth surface.</p>	
	<p>The meeting, which commenced at 7 p.m., closed at 8.40 p.m.</p>	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Gill Brice on 01895 250472. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.