

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet Member for Environmental Services**
held on Monday, 5th December, 2011 at Committee Suite 1 & 2, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillors R Menlove, Cabinet Member for Environmental Services

In attendance

Councillor Peter Raynes, Cabinet Support Member
Councillor Les Gilbert, Chairman of Environment and Prosperity Scrutiny
Committee
Councillor Dennis Mahon
Councillor Andrew Thwaite

Officers

Gary Mallin, Network Manager
Paul Mountford, Democratic Services Officer
Andrew Kelly, Highways Technician
Rob Welch, Traffic and Road Safety Team Leader

1 DECLARATIONS OF INTEREST

No interests were declared.

2 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present. However, the following questions had been received and were reported at the meeting:

Question from Gareth Clarke:

“The strike action from 30th November resulted in a missed refuse collection. I understand there are no plans for any catch up services and I have to wait two weeks for the next round of refuse collections. The making up of rounds is established practice during the Christmas holiday period. Why can't the same principles / processes / procedures be applied in this case?”

Question from Lisa Walker, Forum of Private Business:

“The strike action from 30th November resulted in a missed refuse collection. I understand there are no plans for any catch up services and I have to wait two weeks for the next round of refuse collections. It is my assumption those employees of the council who took industrial action on the 30th November 2011 will not be paid for that day, and this will mean the

salary bill for November will be lower than normal, thus generating a surplus for the month of November. Can the salary surplus generated from the strike be used to clear the refuse back log?"

The Cabinet Member undertook to reply to both questions in writing.

3 LIST OF STREETS POLICY

The Cabinet Member considered a proposed policy for making amendments to the list of streets maintainable at public expense.

The Council was required under the Highways Act 1980 to keep correct and up to date a comprehensive list of streets maintainable at the public expense. The list was to contain all roads, lanes, footpaths, bridleways, byways, restricted byways, squares, courts, alleys and passages which were considered to be maintainable at public expense.

At present, the Council did not have in place a policy on any changes that were required to keep the List of Streets up to date. Any changes required to the List of Streets were received from a number of different sources. Types of evidence supplied to the Authority varied, from an adoption plan showing the road and extents to minutes from historical meetings of previous Councils. There had never been any strict procedure in place prior to any changes to the existing highways that were considered to be maintainable at public expense.

The policy would set out to ensure that any future changes to the list of streets would have a proper audit trail. This would ensure that any subsequent claims on the highway network could be successfully supported with a policy that showed that the changes had been followed correctly.

Councillor L Gilbert reported the comments of the Environment and Prosperity Scrutiny Committee that local members and local councils should be consulted on any proposed amendments to the list of streets.

RESOLVED

That the Cabinet Member for Environmental Services approves the policy on Amendments to the List of Streets as set out in Appendix A to the report.

4 PEDESTRIAN CROSSING POLICY

The Cabinet Member considered a policy on the assessment of locations for pedestrian crossings.

The Borough Council was reviewing all of its highway policies. Many requests for safer crossing facilities for pedestrians were received annually and the policy gave guidance to Officers, Council Members and members

of the public regarding the processes that would be followed when considering such requests.

The demand for pedestrian crossing facilities far exceeded the Borough's available funding. As such there was a need for a consistent approach to the assessment of the appropriate form of crossing, if any, for each location and a means of prioritising implementation with regard to the limited resources available.

Historically, pedestrian crossing assessments had been based on a numerical score. However, current procedures were not fully appropriate to Cheshire East's decision-making process or its local working between Members and Local Area Partnerships (LAPs). The proposed policy had taken the basis of the current assessment process but included the role of local Members and LAPs in the decision-making process.

Councillor L Gilbert reported the comments of the Environment and Prosperity Scrutiny Committee that factors other than historical data on traffic accidents should be taken into account when considering the installation of a pedestrian crossing, such as the reasonable apprehension of danger.

The Officers commented that the policy was one of several tools available to Officers in evaluating road safety issues, and provided a robust way of considering requests for crossings in a consistent way. Scrutiny members would shortly have an opportunity to consider the Council's draft Road Safety Strategy, which may be more suited to the inclusion of subjective criteria.

RESOLVED

That the Cabinet Member for Environmental Services approves the proposed Pedestrian Crossing Policy set out in Appendix A to the report.

5 REPAIRS TO PRIVATE STREETS POLICY

The Cabinet Member considered a policy on how to deal with requests to repair unadopted roads.

Each year the Council received requests to repair unadopted roads. However, the Council's responsibility in respect of unadopted roads differed from that for highways that were "maintainable at the public expense".

The proposed Repairs to Private Streets policy would set out a consistent approach in dealing with requests from owners or frontagers to carry out repairs to private streets to obviate danger to traffic and/or pedestrians.

RESOLVED

That the Cabinet Member for Environmental Services approves the Repair to Private Streets Policy set out in Appendix A to the report.

6 MIRRORS ON THE HIGHWAY POLICY

The Cabinet Member considered a policy for dealing with applications to place mirrors on the highway.

Whilst a mirror located on the main road could help those joining the road, the placing of a mirror on the highway brought with it issues that could affect road safety. In addition, mirrors were classified as a road traffic sign and as they were not prescribed in the Traffic Signs Regulations and General Directions, their use on the highway was subject to special authorisation by the Department for Transport (DfT). Requests were assessed by the DfT against stringent criteria.

The responsibility for deciding whether any road traffic sign or mirror was needed to maintain safety at a particular location rested with the local highway authority. Officers had developed a policy for dealing with applications to place mirrors on the highway. For any application to be sanctioned, the Council would need to be satisfied that it met the DfT's criteria and that any potential road safety issues did not outweigh the benefits to road users. The applicant would be liable for the Council's costs in dealing with the application.

Councillor L Gilbert reported the comments of the Environment and Prosperity Scrutiny Committee that if there was a genuine issue of safety to all road users at a particular location, the Council rather than the applicant should cover the cost of installing and maintaining the mirror.

The Officers commented that the Council needed to recover its reasonable costs. It was pointed out that if a request came from a Local Area Partnership or parish council, the cost could be met from the minor improvement budget allocated to the LAP.

RESOLVED

That the Cabinet Member for Environmental Services approves the Mirrors on the Highway Policy set out in Appendix A to the report.

The meeting commenced at 9.30 am and concluded at 10.25 am

Councillor Rod Menlove (presiding)