

# **NEIGHBOURHOOD SERVICES COMMITTEE**

## **DECISION RECORD**

16 December 2013

The meeting commenced at 9.30 am in the Civic Centre, Hartlepool

**Present:**

Councillor: Peter Jackson (In the Chair)

Councillors: Jim Ainslie, Allan Barclay, Keith Dawkins, Steve Gibbon, Brenda Loynes and Sylvia Tempest

Officers: Denise Ogden, Director of Regeneration and Neighbourhoods  
Alastair Smith, Assistant Director, Neighbourhoods  
Philip Hepburn, Parking Services Manager  
Peter Frost, Traffic & Transport Team Leader  
Craig Thelwell, Waste and Environmental Services Manager  
Helen Beaman, Team Leader (Waste and Environmental Services)  
Steve Hilton, Public Relations Officer  
Denise Wimpenny, Principal Democratic Services Officer

### **60. Apologies for Absence**

None

### **61. Declarations of Interest**

Councillor Ainslie declared a prejudicial interest in Minute 69 and indicated his intention to leave the meeting during consideration of this item of business. Councillor Tempest declared a personal interest in Minute 69 and Councillor Gibbon declared a personal interest in Minute 68.

### **62. Minutes of the Meeting held on 11 November 2013**

Received.

**63. Minutes of the Meetings of the Emergency Planning Joint Committee held on 11 June 2013, 6 August 2013 and 26 November 2013**

Received.

**64. Matters Arising from the Minutes of the Meeting held on 11 November 2013**

Minute 50 – Tees Valley Bus Improvement Networks

The Chair advised that the consultation process regarding the Powlett Road Scheme had commenced, the outcome of which would be reported to a future meeting of this Committee.

Minute 47 – Northgate Bus Stop Petition

The Chair reported that the Leader had received a formal complaint in relation to the decision taken by this Committee regarding Northgate Bus Stop. The Monitoring Officer was investigating the complaint in accordance with the formal complaints process and no works would be undertaken until the investigation of the complaint had been completed and a report brought back to the Leader and then to this Committee.

**65. The Collection of Sea Coal (Sea Coaling) (Assistant Director, Neighbourhoods)**

**Type of decision**

Non-key

**Purpose of report**

To provide a statement on the current position regarding the practice of 'sea coaling' on the beaches of Hartlepool, and to present proposals for dealing with future related issues.

**Issue(s) for consideration**

The Assistant Director presented the report which provided background information relating to the practice of 'sea coaling' on Hartlepool's beaches.

A recent Daily Mail article placed the number of sea coalers at 19. However, Neighbourhood Officers and the police reported that only two vehicles were regularly seen collecting sea coal from the beaches of Hartlepool.

It was highlighted that responsibility of the management of the foreshore lied with the Council's Parks and Countryside section and no incidents of issues relating to sea coal vehicles had been reported. Issues may exist around the mess left by seal coal vehicles when exiting the beaches. However, the Council's Cleansing Section did not report this as being a particular problem. The police had pledged to take action against un-roadworthy vehicles carrying sea coal. The police traffic section also undertook regular patrols of the beach areas and two sea coalers had been prosecuted in 2013.

The report included the licensing considerations of sea coaling that had been considered in the past, the ecological impact, the measures that had taken place to reduce issues surrounding sea coaling as well as the approach adopted by other Councils. Concerns from members of the public had historically centred around issues of noise and the driving of vehicles on the beach. There had been no recorded complaints to the Contact Centre regarding issues around sea coaling during 2013, nor had there been any direct calls or complaints made to the police during this time. There had been no reported or recorded incidents/accidents on the beach or damage to private property involving sea coalers in recent years.

The Committee was advised that the practice of sea coaling was in decline and the issues surrounding it were minimal with no recorded complaints being received from residents other than the issues raised at the North and Coastal forum meetings. For this reason, issues around sea coaling could not be considered a priority at this difficult time for the Council. It was proposed that the Council continued to monitor sea coaling activities and that an appropriate and balanced response be made to any issues that may arise.

In the discussion that followed officers and a representative from the Police responded to issues raised by Members in relation to responsibilities in terms of liability, clarification on bylaws and the enforcement process. The pro-active approach of officers in trying to solve this ongoing problem was welcomed by Members.

A member of the public, who was in attendance at the meeting, and was invited to speak, raised a number of concerns in relation to the safety of the public as a result of sea coaler activity indicating that there had been 6 incidents since 1952, the condition of sea coal vehicles, the risks of overloaded vehicles on the public, the behaviour of sea coalers, the reluctance of individuals to report sea coalers for fear of reprisal and concerns that any decision taken by this Committee would be disregarded by sea coalers.

Members questioned the accuracy of the statistics in terms of the level of complaints received and the number of accidents given the resident's comments in this regard. In response to concerns regarding the issue of fly tipping on the beaches, details of enforcement measures were outlined and it was highlighted that there was a need to retain some form of access to the beach for emergency vehicles. A Member asked for clarification regarding insurance and whether the Council or the Crown Estate was responsible. It was highlighted that the Council was liable for incidents on the beach.

In concluding the debate, Members were keen to pursue further statistical information and, in view of this, requested that a report be submitted to a future meeting of this Committee to include details of incidents reported at West View Police Station as well as clarification on the number of complaints and number of accidents reported on sea coaling activity.

### **Decision**

That a report be submitted to a future meeting of this Committee outlining details of incidents reported at West View Police Station as well as clarification on the number of complaints received and number of accidents reported on sea coaling activity.

## **66. Petition Requesting a Loading Bay on Holdforth Road** *(Assistant Director, Neighbourhoods)*

### **Type of decision**

Non-key

### **Purpose of report**

To report on the practicalities of the request to create a loading bay at Holdforth Road.

### **Issue(s) for consideration**

It was reported that Holdforth Road currently had a number of restrictive/prohibitive parking restrictions in place, details of which were set out in the report. A map showing the location and layout was shown in Appendix 1.

A petition had been submitted by 29 residents of Kensington Court and 28 taxi drivers which sought support from the Council to introduce a designated on-street loading bay on Holdforth Road (outside Kensington

Court). Such parking provision would provide a parking loading area/drop off collection point without fear of residents and/or taxi drivers receiving a penalty charge notice for contravention of the parking restriction currently in place at this location. The petition suggested that the creation of a loading bay would overcome the access difficulties providing a standard 20 minute stay for loading purposes.

There were, however, a number of highways concerns to such a proposal which included access issues by the ambulance service to and from the hospital when parking was previously permitted at this location, it would be difficult to safely locate a loading bay due to the detrimental impact on motorists and pedestrians, existing legislation already allowed passengers to board and light from vehicles and longer stay loading could conveniently be provided from the curtilage of Kensington Court's parking area removing the need for loading activity to take place from Holdforth Road. It was noted that all three Emergency Services had objected to the loading bay proposal.

Discussion ensued in relation to the highways issues of this proposal and the option of holding a site visit was debated. Whilst some Members were in favour of a site visit, the majority of the Committee was of the view that there was sufficient information available to make a decision without the need for a site visit. Given the access problems encountered by the emergency services in the past and their concerns raised at a Transport Liaison Group Meeting with Council Officers, the majority of the Committee was of the view that a loading bay at Holdforth Road was not an acceptable solution.

### **Decision**

That the petition to provide a loading bay at Holdforth Road be rejected.

## **67. Illegally Grazed Horse Strategy** (*Assistant Director, Neighbourhoods*)

### **Type of decision**

Key Decision – RN18/13 test (ii) applies

### **Purpose of report**

To present a strategy for tackling the problems associated with illegally grazed horses in Hartlepool.

### **Issue(s) for consideration**

The Assistant Director reported on the background to the problems associated with loose, stray abandoned and fly grazed horses. In terms of the scale of the problem, in the past 12 months, Cleveland Police had dealt with 1880 incidents involving equine issues. Of these 743 were in Redcar and Cleveland, 630 in Hartlepool, 357 in Stockton, 140 in Middlesbrough and 10 were from adjacent force areas.

With regard to mechanisms for tackling this problem, unfortunately there was no specific legislation at present and therefore relevant authorities had to address each situation individually. However, the report outlined the various other measures that could be used for addressing this issue.

With regard to progress to date, in February 2013, the Council joined together with other partner authorities and organisations to form the 'North East Equine' group. The Group's aim was to share information and good practice and to try to lobby for legislative changes to support enforcement agencies in tackling this issue.

In March 2013 the responsibility for dealing with the escalating problem of fly grazing in the Borough was given to the Waste and Environmental Services section of the Council in order to utilise the skills and experience from the Dog Warden Service and Environmental Enforcement Team. The need for an immediate, co-ordinated and holistic approach to resolve this problem was identified and a 'working partnership' developed, which included officers from a number of departments.

The Council and the Police had undertaken two operations to date to analyse the problem and to take action against illegally grazed horses, the outcome of which was included in the report.

The Committee's agreement was sought in relation to the following proposals as detailed in section 5 of the report;-

- To apply the new strategy and action plan to address issues with illegally grazed horses in Hartlepool. The proposed Strategy was attached at Appendix 1.
- To continue to work closely with, and provide assistance to, internal and external partners such as the Police, RSPCA, British Horse Society and landowners to tackle illegally grazed horses.
- To communicate key messages to Elected Members, members of the public and horse owners about the Council's intolerance of illegal grazing and the approach it was taking to address the issue. This would ensure consistency of messages and provide information on how to report a problem and how this issue would be dealt with.

Some concerns were raised regarding the cost of lifting horses to which Members were advised that an alternative source had been identified to undertake this work on behalf of the Council at a cost of £200. It was noted that the Council had managed to clear horses from Council owned land at a cost of £7,000. Members were pleased to note that the cost of lifting horses had been reclaimed where possible.

In response to a request for clarification, the Waste and Environmental Services Manager outlined the enforcement process, the responsibility of horse owners and the communication methods in place to ensure horse owners were reminded of their responsibilities.

The Committee welcomed the strategy and took the opportunity to thank all officers involved in the development of the strategy.

### **Decision**

That the Illegally Grazed Horse Strategy and the proposals in Section 5 of the report, as detailed above, be agreed.

## **68. Fens Area Proposed 20mph Zone** *(Assistant Director, Neighbourhoods)*

### **Type of decision**

Non-key

### **Purpose of report**

To seek approval for the implementation of a 20 mph speed restriction covering an area of the Fens Estate incorporating Fenton Road, Lincoln Road, Ingham Grove and Wainfleet Road (Appendix 1 refers)

### **Issue(s) for consideration**

The Assistant Director reported that the scheme had been requested by local Ward Councillors as a result of speeding traffic in the area.

Consultation had been undertaken with the appropriate streets. From a total of 150 residential letters, 69 replies had been received. The response was positively in favour of the proposal with 64 responders in favour and 5 opposed to the proposal. Whilst some residents requested traffic calming measures such as speed cushions many of the residents in favour of lowering the speed limit were against any type of additional calming

measures. It was proposed that the scheme would be delivered using signage only and carriageway markings and would be funded via the Local Transport budget at an estimated cost of £500.

### **Decision**

That the proposed 20mph speed restriction within the area, as outlined in the report be approved.

**Prior to consideration of the following item of business Councillor Ainslie declared a prejudicial interest in accordance with his earlier declaration and left the meeting during consideration of this item.**

## **69. Headland Proposed 20mph Zone** *(Assistant Director, Neighbourhoods)*

### **Type of decision**

Non-key

### **Purpose of report**

To seek approval for the implementation of a 20mph speed restriction throughout the Headland (Appendix 1 refers)

### **Issue(s) for consideration**

The Assistant Director reported that following requests from the Parish Council, consultation had been undertaken with residents, businesses etc regarding the potential implementation of a 20mph speed restriction covering the whole of the Headland.

From a total of 1600 residential letters, 395 replies had been received. The response was positively in favour of the proposal with 255 of those responding supporting the scheme and 140 opposed to the proposal. Whilst some residents had requested additional traffic calming measures such as speed cushions many of the other residents in favour of lowering the speed limit were against any type of additional calming measures. The scheme would be funded via the Local Transport budget at an estimated cost of £1,000.

In response to a request for clarification regarding the costs of the scheme, the Traffic and Transport Team Manager stated that the cost of this scheme was higher than the Fens Area as the Headland required additional signage as a result of the size of the area.



**Decision**

That the proposed 20mph speed restriction within the area, as outlined in the report be approved.

**70. Any Other Items which the Chairman Considers are Urgent**

The Chairman ruled that the following item of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

**71. Any Other Business – Adverse Weather Conditions – Access Issues**

The Chair referred to recent adverse weather conditions and the difficulties gaining access to the Headland Area as a result. The Chair sought the Committee's approval to examine this issue at a future meeting of this Committee with a view to establishing the most effective means of accessing this area in the event of a reoccurrence. It was agreed that a report exploring these issues be presented to a future meeting of this Committee.

The meeting concluded at 10.45 am.

**P J DEVLIN**

**CHIEF SOLICITOR**

**PUBLICATION DATE: 23 DECEMBER 2013**