



To be submitted to the Council meeting on 13th December, 2018

CABINET

29th October 2018

PRESENT: Councillor Oxby (in the Chair)
Councillors Bolton, Hyldon-King, Patrick, Rogers, Watson, K. Wheatley
and P. Wheatley.

Officers in Attendance:

Rob Walsh	Joint Chief Executive
Joanne Hewson	Chief Operating Officer
Ange Blake	Director of Economy and Growth
Simon Jones	Chief Legal and Monitoring Officer
Stephen Pintus	Director of Health and Wellbeing
Sharon Wroot	Director of Resources and Governance
Laura Cowie	Scrutiny and Committee Advisor

Also in attendance:

Roger Breed	Petition Organiser
Cllr Stephen Harness	Humberston and New Waltham Ward Councillor
Cllr Stan Shreeve	Humberston and New Waltham Ward Councillor
Cllr John Fenty	Humberston and New Waltham Ward Councillor
Councillor Ron Shepherd	Scartho Ward Councillor
Councillor Callum Proctor	Freshney Ward Councillor
Councillor Janet Goodwin	South Ward Councillor

Councillor Steve Beasant	East Marsh Ward Councillor
Councillor Kay Rudd	East Marsh Ward Councillor
Councillor Ian Barfield	Park Ward Councillor

There were 31 members of the public and 3 member of the press in attendance.

CB.53 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received for this meeting.

CB.54 **DECLARATIONS OF INTEREST**

There were no declarations of interest made with regard to any items on the agenda for this meeting.

CB.55 **TOLLBAR JUNCTION IMPROVEMENTS**

Cabinet considered a report from the Portfolio Holder for Environment, Transport and Energy which presented an assessment of additional options for retention of the existing roundabout alongside construction of a footbridge or underpass following a Council resolution on 22nd March 2018; and sought to provide further re-assurance regarding the safety of pedestrians using the crossings if the signalised junction was to be implemented. The Portfolio Holder moved the report with an additional recommendation that the Petition for Debate opposing the proposed scheme be noted and, with the consent of the Petition Organiser, received.

A petition signed by over 7,500 people had been presented to the Council, and it was agreed with Mr Breed, petition organiser, that it be formally received by Cabinet. Mr Breed was invited to address Cabinet for up to 5 minutes. Mr Breed explained to Cabinet that residents were in support of improving safety measures for all that use the junction, pedestrians, cyclists and road users but they did not want the roundabout to be removed. Mr Breed went on to provide Cabinet with statistics on road traffic accidents at that junction, stating he believed that there had been a reduction in figures over the past few years. Mr Breed felt that the proposed junction improvements would not improve safety measures and he asked if the planning condition for the traffic lights to be installed could be re-negotiated.

Councillor Harness, ward councillor for Humberston and New Waltham, was invited to address Cabinet as permitted in the Council's Petition Scheme. Councillor Harness spoke about the petitions which had been submitted to the Council and felt that they should be considered by Full Council where they could be debated. Councillor Harness went on to express that research he had conducted led him to believe that roundabouts were safer than signalised junctions and that installing traffic lights at this junction would not improve safety measures. Furthermore

he felt that the figures for the accident statistics at that junction for 2013 – 2018 did not justify the conclusions made about safety. Councillor Harness concluded by asking that the petition be referred to Full Council for debate in line with the Council's policy and in the interest of openness and transparency.

Councillor Shreeve, ward councillor for Humberston and New Waltham, was invited to address Cabinet as permitted in the Council's Petition Scheme. Councillor Shreeve spoke with regret that despite all the interventions that ward councillors and others had made to Cabinet, Council and Scrutiny in the past few years, they had failed to persuade Cabinet to change their decision to install a signalised junction. Councillor Shreeve went on to express that he was disappointed with the partial and selective statistics which had been used by experts to advise Cabinet, stating that they were out of date and inaccurate as mentioned earlier by his colleagues. Councillor Shreeve concluded by stating everyone cared about the safety of children and believed that measures could be taken to improve safety without destroying the roundabout.

The Chair thanked the speakers in turn for their presentations.

Councillor Watson, Portfolio Holder for Finance, Governance and Resources provided Cabinet with a recap of the process so far with regards to the meetings that had considered reports on the Tollbar Junction Improvements. This included engagement with Scrutiny, Full Council, a Cabinet Working Group and Cabinet.

Councillor P. Wheatley, Portfolio Holder for Regeneration, Housing, Skills and Assets, felt that sufficient consideration had been given to the junction improvements at Tollbar following the number of meetings it had been discussed at over the years. Councillor P. Wheatley reminded Cabinet that the Council could face a judicial review if the traffic lights were not implemented, and that this Council had rejected the planning application for Monmouth Properties originally, but was later overturned by the Planning Inspector. Councillor P. Wheatley went on to reaffirm that should the funding for this project from the Greater Lincolnshire LEP not be spent on improving the Tollbar junction by March 2021, the Council would be expected to return the funding.

Councillor Rogers, Portfolio Holder for Tourism, Heritage, Culture and Inclusive Communities, was disappointed to hear the mention of lack of transparency and openness; as stated in the report, the subject had been through all tiers of the democratic process, and this was supported by independent advice from Queen's Counsel.

Councillor K. Wheatley, Portfolio Holder Children, Young People and Education, supported the recommendations as laid out and felt that no amount of road traffic incidents involving a child was acceptable. Therefore, she felt that any improvements to this junction would be welcomed.

Councillor Bolton, Portfolio Holder for Safer and Stronger Communities, welcome the advice from all experts consulted during the process and agreed to fully support the recommendations as laid out.

Councillor Hyldon-King, Portfolio Holder for Health, Wellbeing and Adult Social Care, expressed that the health, wellbeing and safety of children was a priority for the Council and would not be taken lightly. The junction improvement was not just about cars, but all road users including cyclist and pedestrians; Councillor Hyldon-King supported the recommendations.

The Chair summarised comments made by Cabinet and agreed that an exhaustive consultation process had been conducted.

RESOLVED –

- (1) That the Cabinet decisions of 15th February 2017 and 31st January 2018 to proceed with the implementation of a signalised crossroads junction with appropriate pedestrian/cycle safety measures, be endorsed.
- (2) That authority be delegated to the Director for Economy and Growth to immediately commence a procurement exercise for the works arising out of Resolution (1) above, and make an appropriate award in consultation with the Portfolio Holder for Environment, Transport and Energy.
- (3) That authority be delegated to the Chief Legal and Monitoring Officer to execute all relevant papers.
- (4) That authority be delegated to the Director of Economy and Growth to instruct the Council's Regeneration Partner, ENGIE, to put appropriate measures in place to minimise the impact of the works on the highway network and the affected academy and communities and that regular reports on progress be reported to Cabinet and the Economy Scrutiny Panel.
- (5) That, cognisant of the need to carry out a stage 2 Road Safety Audit upon final design, authority be delegated to the Director for Economy and Growth, in consultation with the Portfolio Holder for Environment, Transport and Energy to verify and approve the final design of the scheme and agree any design modifications required, upon receipt of professional highway design advice.
- (6) That authority be delegated to the Director for Economy and Growth, in consultation with the Portfolio Holder for Environment, Transport and Energy, to take any other decision on any ancillary matter arising from the above recommendations.
- (7) That the Petition for Debate opposing the proposed scheme be noted and, with the consent of the Petition Organiser, received.

There being no further business, the Chairman declared the meeting closed at 2.39 p.m.