

**PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE**  
**28th April, 2009**

Present:- Councillor Whelbourn (in the Chair); The Mayor (Councillor G. A. Russell); Councillors Austen, Barron, Boyes, Burton, Gilding, McNeely, P. A. Russell and Swift.

Also in attendance were Councillors Cutts, Mannion, Parker, Smith, Thirlwall and Turner.

Apologies for absence were received from Councillors J. Hamilton and Jack.

**221.       DECLARATIONS OF INTEREST**

Councillor Smith declared a prejudicial interest in item 223 below, being the Cabinet Member taking the decision called in and only remained in the room to answer questions and explain the reasons for the decision.

**222.       QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

There were no questions from members of the public or the press.

**223.       CALL - IN - RESULTS OF THE BRAMLEY TRAFFIC MANAGEMENT SCHEME CONSULTATION**

The Chairman welcomed everyone to the meeting and the process was explained. Following procedural questions from Councillor Thirlwall, the order of proceedings was clarified and confirmed.

The Committee considered Minute No. 216 of the meeting of the Cabinet Member for Regeneration and Development Services held on 30th March, 2009 regarding the results of consultation undertaken towards the end of November, 2008 to gauge opinion on two proposed options to amend the current Bramley Traffic Management Scheme and the resultant decision to approve Option 1. Also considered was the report that was submitted to the above meeting.

Councillor Thirlwall, supported by Councillors Cutts, Gilding, Mannion, Parker and Turner presented the objections to the proposal covering the following issues and views:-

- there were no advisers, strategic director or directors present at the meeting when Councillor Smith made the decision
- the decision was made against the recommendations by officers
- the Chief Executive and Strategic Director of Environment and Development Services indicated they thought that Option 2 would be the preferred option at a meeting with businesses a

- few days prior to the decision being made
- the Leader had also indicated it would be considered “daft” not to go for Option 2
- Councillor Smith arrived at the decision as he had a vendetta against the people of Bramley
- it was the overwhelming view of the community that Option 2 was the preferred option and it was a surprise when the recommendation for such was overturned
- at a previous consultation event public meeting, only 39 people were in support of the decision to implement the scheme in situ
- the scheme installed in 2005/06 was a disaster and no one believed how bad the scheme would be until it was completed
- a 3000 plus signature petition had been submitted and the latest period of consultation saw over 7500 households consulted at a cost of £30,000. 87% of those consulted were not in favour of a one way system
- the consultation covered the three ward areas and others who drove through Bramley
- a consultant, recruited to look at the system, concluded:-
  - (a) the slip road was too short
  - (b) parking on Cross Street had been installed against best practice
  - (c) parking was in the wrong place
  - (d) existing parking on Cross Street was illegal
  - (e) junction of Cross Street with the A631 would not support a return to two way traffic
- in December, 2007 consideration was given by Councillor Smith to alterations to the original scheme, incorporating the comments from the consultant. The meeting was not to reverse the scheme but to consider the cost implications of suggested amendments. The decision was called in.
- mistakes to the scheme were brought to Councillor Smith's attention, but he ignored them

- Councillor Smith misled Performance and Scrutiny Overview Committee (PSOC) in respect of the cost of reversing the scheme and claiming it was safer for a one way system. PSOC did not support the call in.
- it appeared the Traffic Regulation Order (TRO) on Main Street was illegal and publicity attracted significant opposition to the one way traffic scheme
- Councillor Smith, on 29th September, 2008 decided whether to consult, who with and how and an event was held in November, 2008 attended by 500 people
- 92% of those who attended supported Option 2 and only 2% supported Option 1
- conclusions from the consultations were reported by officers to Councillor Smith on 30th March, 2009
- South Yorkshire Police had indicated Option 1 could not be supported
- Councillor Smith made a mistake by agreeing to go out to consultation again
- the decision (Minute No. 216) was based on the issue of traffic management and road safety with little evidence to support Option 1
- the decision was flawed using flawed logic
- problems were anticipated in the future with the need to apply for a temporary TRO to replace the illegal one, which could take approximately 18 months
- there would be a massive objection to the TRO should consultation take place
- the matter should be referred to full Council for determination
- people consulted were being failed in that they were not being given a reversal to a two way system of traffic flow for which there was overwhelming support
- on this occasion, the Council was not listening to the people as it claims it does
- public confidence was undermined in that the consulted people of Bramley were given two options and the impression of a real

choice

- reasons for Option 1 were invalid
- the democratic process was flawed

Councillor Smith, Cabinet Member for Regeneration and Development Services, responded as follows:-

- he did not hold any vendettas against the people of Bramley
- the decision in 1999 was not taken alone but with the then Deputy Cabinet Member
- in response to the consultation, 78 people had voted for a one way system of some sort, 39 had voted for a one way scheme the other direction
- there were many inaccuracies in Councillor Thirlwall's presentation
- with regard to the mistakes, he could have turned it round and used the road with a two way traffic system (Option 2)
- he did say on road safety terms Option 1 was not better than Option 2 but it was not worse and there as a slight drop in accidents
- he did agree to consult and 8194 residents of Bramley were consulted
- Bramley Action Group had expected a noise but only got a murmur. 71 responses were discarded due to 67 wanting to see a left turn out of Cross Street onto Main Street and 4 wanted a return to the old scheme
- Option 2 would not improve road safety or traffic management flow
- of the 570 households on the Grange Estate and 72 properties on Main Street only 87 and 18 responses were received respectively in favour of Option 2
- 36 businesses had information hand delivered and only 4 responses were received, 2 for Option 2, 1 for Option 1 and 1 for status quo
- the estimate of £1m to revert to the two way scheme included the present scheme costs of £800,000 plus £190,000 to amend

- the officer mistake regarding the TRO was being rectified and was three quarters of the way to being finalised
- consultation did not mean compliance
- the Bramley Action Group leaflet, campaigning for Option 2 but must include all amendments, had done the people of Bramley a disservice
- two mistakes were made:
  - drafting the TRO
  - being convinced by officers to go out to consultation again
- the decision was not taken lightly
- how often had Councillor Thirlwall voted against officer recommendations
- PSOC had previously supported that the one way system should remain by a majority of 11 to 1
- in considering the options, Option 2, did not improve road safety or traffic management but could make traffic management worse
- in keeping the cycle lane in, as the Police wanted, some parking would be lost but there was ample parking on Church Lane and Cross Street
- people on the Grange Estate did not lose out, it took 1 minute 50 seconds to get around the one way system
- the response to the consultation was not overwhelming given that there were 40 replies from 17,000 in that area
- members had had the opportunity previously to oppose the scheme and were now jumping on the bandwagon

The Chairman invited sponsors of the call in to seek clarification on any issues and issues covered included :

- parking on Main Street
- the claimed time of 1 minute 50 seconds to navigate the one way system at peak times
- provision of contra flow cycle lane regardless of which scheme

option was chosen

- £1m cost argument to revert to two way system was ludicrous
- method of consultation
- TRO
- the dismissal of 400 + votes very lightly

The sponsors of the call in and Councillor Smith, together with officers, answered, where possible, questions from the Committee covering:-

- benefits of Option 2
- deciding on Option 1 when officers and Police recommended Option 2
- why bother consulting only to ignore responses
- respective parking times for businesses regarding Options 1 and 2
- discounting the 71 votes
- traffic management flow at varying times of the day and week
- lack of objections to the existing scheme received
- clarification of how Councillor Smith had allegedly misled PSOC at the previous call in meeting

At the conclusion of the questioning Councillor Smith left the room and the Committee deliberated.

Resolved:- That the call-in request be not supported.

(Councillor Smith declared a prejudicial interest in the above item and left the room at the conclusion of the questioning from the Committee and prior to the Committee's deliberations)