

# Questions and Answers

## Executive

Thursday, 27th March, 2014

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



This page is intentionally left blank

# **Executive Meeting**

## **27 March 2014**

Questions and Answers



---

## Public Questions as specified in the Council's Procedure Rules of the Constitution

---

There were no public questions received in relation to items not included on the agenda.

---

## Members' Questions as specified in the Council's Procedure Rules of the Constitution

---

- (a) **Question to be answered by the Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Visions submitted by Councillor Keith Woodhams:**

*"In the light of the comments on the front page of the Newbury Weekly News (NWN) 13 March 2014 - 'Penalty tribunal rules against bridge fines', can the Executive Member for Highways & Transport tell me if she will heed the Traffic Penalty Tribunals findings and correct the signage on the approach to Park Way bridge or ignore their advice?"*

**The Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Visions answered:**

The first thing to say is that the report on the front page of the Newbury Weekly News was totally misleading and did not accurately reflect the decision of the Traffic Penalty Tribunal's findings in the single case that was referred to. In the report it was stated that thousands of motorists may have been wrongly issued fines because an adjudicator at the independent tribunal branded the signage as being illegal. In fact the adjudicator made no such statement, so the prospect of lots of other drivers being wrongly fined simply does not arise.

The adjudicator did not say that the signage was incorrect and in allowing this particular appeal, based on the very specific details of this single case, and the routes taken by the appellant, instructed that the penalty charge should not be paid. In fact the Tribunal have subsequently advised that contrary to the impression given in the local news story, it has not been inundated with appeals in respect of contraventions of this bus lane, this appeal being only the fifth we have received. Furthermore it has acknowledged that there was an error in its consideration of this case because the position of the road marking in relation to the road signs was not in fact as they had initially thought.

It is therefore not necessary to correct the signage at this location at the Wharf car park and there is no question of ignoring the Tribunal's advice.

I would suggest to Councillor Woodhams that perhaps instead of believing what he reads in the Newbury Weekly News he checks it with officers first.

**Councillor Keith Woodhams said:** *"So can we have that in writing please?"*

**The Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Visions said:** Of course you may. You can have a copy of the adjudicator's report.

**Councillor Keith Woodhams said:** *“It would have been helpful then if an email had come through, then I could have considered it earlier.”*

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question, a supplementary should be relevant to the original question and not introduce any new material?”*

**Councillor Keith Woodhams asked a supplementary question that the Leader of Council ruled was not relevant to the original question.**

---

**(b) Question to be answered by the Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Visions submitted by Councillor Keith Woodhams:**

*“Can the Executive Member for Highways & Transport tell me why Crookham Hill and the Boundary Road Bridge were closed at the same time, causing severe delays for motorists on the A4 and other routes around Thatcham and Newbury?”*

**The Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Visions answered:**

Crookham Hill was closed south of the level crossing for a number of utility companies to undertake work for the housing development off Chamberhouse Mill Lane. This work was co-ordinated so that all the key utilities were working together within the same road closure to minimise disruption, which is our standard approach. A survey carried out at the level crossing during April 2011 showed that the average two way daily volume was 8,354, which potentially would divert via the A339, Brimpton or Aldermaston.

Boundary Road in Newbury, which is some three miles from the Crookham Hill closure, was closed for five days so that Network Rail could carry out trial holes and investigations in advance of the bridge replacement next year. A survey carried out on Boundary Road opposite York Road in July 2013 showed that the average two way daily volume was 1,060 which potentially would have diverted onto the A339.

The A339 through Newbury and the A4 between Thatcham and Newbury are always congested during the peak periods and it is not uncommon for there to be delays on these routes when no closures are in place. It was anticipated that there would be some traffic delay as a result of the closure at Crookham Hill in view of the daily flow at this location. However it was considered that, given the low daily flow in Boundary Road, and due to the distance between the two closures, having them closed at the same time should not have caused any greater traffic issues than if they were closed at separate times. It is acknowledged that there were in fact significant traffic delays on the A339 and the A4 during these two closures.

Whilst closures and other road works are co-ordinated so that any disruption is kept to a minimum, it is not generally practical to restrict one closure to within a three mile radius. That said, we will endeavour to ensure that these two routes are not closed at the same time in the future.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question, a supplementary should be relevant to the original question and not introduce any new material?”*

**Councillor Keith Woodhams did not have a supplementary question.**

---

**(c) Question submitted to the Leader of the Council submitted by Councillor Keith Woodhams:**

*“Will the Leader of West Berkshire Council apologise to motorists and voters for the insulting comments made by his former Executive Member for Highways & Transport, when he said publicly that he blamed the “stupidity” of motorists and “some people just drive about with their eyes shut” and more recently, when he was invited by the Newbury Weekly News (NWN) to comment about the adjudicators ruling, that signs are “not adequately clear” etc on Park Way bridge, responded by saying that his views were unprintable?”*

**The Leader of the Council answered:**

I know you're a reasonable man and you, like me, can probably appreciate that when people are in difficult situations and when they're distracted and they're not thinking clearly they can do things that they will regret afterwards. I'm sure you accept that and that's what I think has happened to the motorists that are using the bridge incorrectly.

I know that when I was in Oxford picking up my young son's cake and I parked in a bay that said “loading and unloading only” and then I got a ticket, afterwards I realised the sign underneath was quite clear and it said “commercial vehicles only”. When I was in Reading, went down the bus lane and got a £60 fine for the joy of doing that I realised the next time I drove past that there was a sign clearly outlining this, so as regards Councillor Betts' comments, I wouldn't have chosen the word “stupidity”, but I do recognise that people sometimes make mistakes, so I wouldn't have gone with “stupidity”, but as regards my role in admonishing an elected Member of the Council, that's really for the people of his constituency to make a case on, but should he be standing for election again next year I would be delighted to give him my full support.

As regards to the things he hasn't actually said to the Newbury Weekly News, I don't think I can adequately comment on things that Councillors don't actually say.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question, a supplementary should be relevant to the original question and not introduce any new material?”*

**Councillor Keith Woodhams asked a supplementary question that the Leader of Council ruled was not relevant to the original question.**

---