

North Tyneside Council Report to Cabinet Member for Environment and Transport Date: 9 August 2018

**Traffic Regulation
Order – Marden
Avenue, Cullercoats**

Portfolio(s):	Environment and Transport	Cabinet Member(s):	Cllr C Johnson
Report from Service Area:		Environment, Housing and Leisure	
Responsible Officer:	Phil Scott, Head of Environment, Housing and Leisure		(Tel: 0191 643 7295)
Wards affected:	Cullercoats		

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce a zebra crossing and two speed cushions on Marden Avenue and set aside two objections to the proposal.

1.2 Recommendation(s):

It is recommended that the Cabinet Member for Environment and Transport:

- (1) considers the objections;
- (2) sets aside the objections in the interests of improving pedestrian access and road safety, and
- (3) determines that the Traffic Regulation Order should be made unchanged.

1.3 Forward Plan:

Considering objections relating to proposed Traffic Regulation Orders is a standing item on the Forward Plan.

1.4 Council Plan and Policy Framework

The proposals in this report relate to the following priority in Our North Tyneside, the Council Plan 2018 to 2020:

- Our places will have an effective transport and physical infrastructure.

1.5 Information:

1.5.1 Background

The proposal to install a zebra crossing on Marden Avenue with traffic calming measures on the approaches was developed as part of the Authority's road safety programme.

The proposals originated from the results of school safety audits which were undertaken on a number of primary schools throughout North Tyneside. Following this audit, various measures were proposed in the vicinity of these schools to improve road safety, particularly for people walking and cycling, and to encourage sustainable transport. The requirements of the newly adopted Cycle Design Guide were considered when developing the proposals.

The proposals primarily consist of installing a zebra crossing on Marden Avenue where the school crossing patrol currently operates. As part of these works the intention is also to widen the footway to accommodate an enlarged pedestrian waiting area which will make it easier for motorists to see pedestrians and vice versa. It is also proposed to install speed cushions on both sides of the zebra crossing to encourage vehicles to slow down as they approach the crossing.

It should be noted that a standard zebra crossing is specified rather than a parallel crossing (which is recommended in North Tyneside Council's Cycling Design Guide). It is not possible to provide a parallel crossing due to the crossing being located between two junctions which restricts the width available. Other crossing locations were considered however the proposal is considered to be the most appropriate location to cater for the existing and increased demand and as previously mentioned the school crossing patrol currently operates from this site. There is no formal cycle network within the area and the proposed crossing will link two existing footways with no opportunity to widen these footways to allow for formal cycle provision.

It is envisaged however, that these measures will provide the opportunity for increased walking and cycling, which will ultimately reduce the number of pupils being driven to school thereby improving congestion levels in the area.

The scheme was supported by local councillors and letters were sent to those residents of Marden Avenue who would be directly affected by the proposed scheme. Emergency services, public transport groups, taxi organisations and cycling groups were also notified of the proposals.

In accordance with the statutory process, a Notice of Intention for the zebra crossing and speed cushions was displayed on site, in the local newspaper and on the Authority's website.

Two objections were received in response to the statutory Notice of Intention. A summary of these objections are provided below.

1.5.2 Statutory Consultation

Zebra crossing and speed cushion proposals are subject to statutory legal process. Schemes must be advertised on site and in the local press. This enables members of the public or businesses to object to the proposal. Any objectors are first sent a detailed response and invited to reconsider their objection. Any objections not withdrawn are referred to the Cabinet Member for Environment and Transport for consideration.

1.5.3 Summary of Objections

Mr & Mrs P, local residents, submitted an objection to the scheme based on their view that works were not justified given the lack of pedestrian movements at this location and that light and noise from the crossing would be disturbing.

An officer responded to the objectors advising that there is no sound associated with the operation of a zebra crossing and confirming that the council would arrange for a shield to be installed around the flashing beacon which would reduce any disturbance to neighbouring properties whilst ensuring that the beacon was still visible to motorists. The objectors were invited to withdraw their objection in light of this information.

The objectors responded to advise that they did not wish to withdraw their objection.

Mr R, a local resident, submitted an objection to the scheme based on his view that the proposed works would have a detrimental effect on the amount of available on-street parking.

An officer responded to the objector advising that a build out was to be installed on the north side of Marden Avenue bringing the kerb line forward and thereby improving visibility for pedestrians and motorists. This would in turn allow the zig zag markings associated with the crossing to be brought forward to accommodate a parking bay behind the restrictions. It was also highlighted that in the position of the proposed zebra crossing there are already parking restrictions in place (i.e. a single yellow line waiting restriction on the north side of Marden Avenue and School Keep Clear markings on the south side). As a result any impact on parking capacity would be kept to a minimum. The objector was invited to withdraw his objection in light of this information.

The objector responded to advise that he did not wish to withdraw his objection and confirmed that he also wished to object to the proposed speed cushions associated with the crossing.

1.6 **Decision options:**

The following decision options are available for consideration by the Cabinet Member for Housing and Transport:

Option 1

Approve the recommendations set out in section 1.2.

Option 2

Not approve the recommendations set out in section 1.2.

Option 1 is the recommended option

1.7 **Reasons for recommended option:**

Option 1 is recommended as the proposal will help to reduce traffic speeds and improve pedestrian access and road safety

1.8 **Appendices:**

- Appendix 1 Details of objections and associated correspondence
- Appendix 2 Legal Order for Zebra Crossing and Speed Cushion

1.9 Contact officers:

Andrew Flynn, Integrated Transport Manager, 0191 643 6083
Nicholas Bryan, Highway Network Manager, Capita, 0191 643 4808
Nick Saunders, Senior Traffic Engineer, Capita, 0191 643 6598
Alison Campbell, Senior Business Partner, 0191 643 7038

1.10 Background information:

- (1) North Tyneside Transport Strategy
<https://my.northtyneside.gov.uk/category/1237/transport-strategy>
- (2) North Tyneside Parking Strategy
<https://my.northtyneside.gov.uk/category/737/parking-strategy>

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Funding is available from the 2018/19 (Road Safety Initiatives) Local Transport Plan capital budget.

2.2 Legal

Pedestrian crossing and traffic calming proposals that involve the creation of new traffic regulation orders are subject to statutory legal process set out in the Road Traffic Regulation Act 1984 and the Regulations that flow from that Act, namely, the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996. All relevant schemes are formally advertised and include a 21-day period for objections. Before making a Traffic Regulation Order the Authority must consider all objections made and not withdrawn, and can decide whether to make the Order unchanged, to make the Order with modifications or not to proceed with the Order.

In accordance with the Authority's scheme of Delegation to Cabinet Members, if any objections cannot be resolved, then the Cabinet Member for Environment and Transport is asked to consider those objections made and not withdrawn and to determine the Traffic Regulation Order

2.3 Consultation/community engagement

2.3.1 Internal consultation

Ward members' views on the proposal were sought as described in section 1.

2.3.2 Community engagement

Local residents' views on the proposal were sought as described in section 1.5.1. The proposal was advertised in line with statutory process as described in section 1.5.2.

2.4 Human rights

The proposals within this report do not have direct implications in respect of the Human Rights Act 1998.

2.5 Equalities and diversity

There are no adverse equalities or diversity issues arising from this report.

2.6 Risk management

There are no risk management implications directly arising from this report.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

PART 3 - SIGN OFF

- Deputy Chief Executive ☐
- Head of Service ☐
- Mayor/Cabinet Member ☐
- Chief Finance Officer ☐
- Monitoring Officer ☐
- Head of Corporate Strategy ☐

Details of objection – Mr & Mrs P (dated 8 February 2018)

Please note my objection to the proposed Zebra crossing. My objections are twofold.

1. The crossing use will be too light to justify the cost of a crossing as it will only be used for one hour on a morning and one hour in late afternoon for children attending the primary school.
2. The lights and noise from the crossing will disturb our lives as our home is next to the proposed crossing

Mr & Mrs P

Officer response (dated 8 February 2018)

Dear Mr & Mrs P

Thank you for your recent correspondence in which you submitted a formal objection to our proposals to install a zebra crossing on Marden Ave.

In response to your first point, whilst the majority of pedestrian movements do occur at the school opening and closing times there is still a significant volume of footfall at this point throughout the day which the crossing could provide for. With regards to your comment relating to the cost of the project, this scheme is being funded from a budget which has been specifically set aside to improve child safety outside of schools and the provision of a zebra crossing at this location will be a significant safety improvement.

In relation to your second point, I will liaise with our street lighting contractors and arrange for additional fittings to be installed on the flashing beacon which will significantly reduce the glare into your property. With regards to your concerns relating to noise, I can confirm that there is not normally any noise associated with the operation of this type of crossing.

I do hope this response addresses any concerns you may have and we request that you withdraw your objection in light of this information. However if you would still like to proceed with the objection, please notify our legal and democratic services team in writing by 13 February at which time the matter will be referred to the Cabinet Member for Housing & Transport for consideration. You will of course be informed of the decision in due course

Further correspondence from Mr & Mrs P (dated 8 February 2018)

We are more concerned now by your mention that the beacons flash. This will be an intrusion by light into our home and mean that we will have to draw the curtains at nightfall. The fact that they flash will make matters worse.

In addition parking at our house will be affected. We both have limited mobility and are unable to walk very far, especially when carrying shopping etc.

Officer response (dated 31 May 2018)

Thank you for your e-mail in response to my correspondence regarding the above, and firstly please accept my apologies for the delay in my response.

Following confirmation that you would like to proceed with your objection we will now prepare a report on the scheme which will include details of the proposals and your objection which the Cabinet Member for Transport will consider and decide how to proceed.

Once a decision has been made I will of course contact you again to inform you of the outcome.

I have copied our legal services and democratic support team into this e-mail to make them aware of the situation.

Details of objection – Mr R (dated 12 February 2018)

To whom it may concern

I am writing to voice my complete opposition to the proposed zebra crossing marden avenue.

This zebra crossing would exacerbate an already chronic parking problem.

I live opposite the proposed crossing site and already we have been inconvenienced with restricted parking during the school drop off/ pick up times, with yellow single line restrictions imposed.

Now this in addition would put untold extra parking pressure on the area. I estimate up to 8 parking places would be taken from us and all for a crossing which would only be used 1 hour a day mon- fri.

I wrote to my local MP last year about the growth of unnecessary sign posting in the area and received a very positive reply. I intend to also pursue this route regarding this crossing.

Where will this over signposting, over regulation and kowtowing to the Cullercoats Primary School stop ?

There is more than just Cullercoats primary School in Cullercoats.

Yours faithfully

Mr R

Officer response (dated 31 May 2018)

Dear Mr R

Thank you for your e-mail regarding the proposed zebra crossing on Mast Lane, and firstly please accept my apologies for the delay in our response.

The proposals have originated following a school safety audit which was undertaken on a number of primary schools throughout North Tyneside. Following this audit various road safety measures have been proposed outside of these schools to improve pedestrian safety and encourage sustainable transport. It is envisaged these measures will ultimately reduce the number of parent drivers which will improve congestion levels in and around the school areas.

The proposed crossing will be located where the existing hatched road marking area is located on Marden Ave adjacent to St Oswins Ave and vehicles should not be parking this close to the junction in accordance with the Highway Code. I can confirm the reduction in the available on-street parking spaces will be kept to a minimum and vehicles will still be permitted to park behind the zig-zag road markings. Attached is a plan which shows there proposals in detail.

I do hope this response addresses any concerns you may have and we request that you withdraw your objection in light of this information. However if you would still like to proceed with the objection, please notify our legal and democratic services team in writing by 15 June at which time the matter will be referred to the Cabinet Member for Housing & Transport for consideration. You will of course be informed of the decision in due course

In the meantime if you need any further information please do not hesitate to contact ourselves at traffic@northynteside.gov.uk

Further correspondence from Mr R (dated 31 May 2018)

Please give further details of how i proceed with my objection to the proposed Zebra Crossing on Mast Lane, (in writing ??) which from your plan, i now see also includes unnecessary Speed Cushions!

By your response it is extremely evident that you have no understanding of the parking / traffic issues faced by the residents surrounding Cullercoats Primary School.

Your response also in no way addresses the concerns raised by not only myself but other residents.

The high level of interference by the Council in Cullercoats, is affecting the quality of life for both residents and visitors and i wish to formally object to this proposed unnecessary, inconvenient intrusion.

Yours Sincerely

Mr R

Officer response (dated 31 May 2018)

Dear Mr R

Thank you for your e-mail in response to my correspondence regarding the above.

Following confirmation that you would like to proceed with your objection we will now prepare a report on the scheme which will include details of the proposals and your objection which the Cabinet Member for Transport will consider and decide how to proceed.

Once a decision has been made I will of course contact you again to inform you of the outcome.

I have copied our legal services and democratic support team into this e-mail to make them aware of the situation.

NORTH TYNESIDE COUNCIL
MARDEN AVENUE, CULLERCOATS
ZEBRA CROSSING & ROAD CUSHION

North Tyneside Council gives notice that under Section 23 of the Road Traffic Regulation Act 1984, and after consultation with the Chief Officer of Police, it proposes to establish a Zebra crossing on:

- Marden Avenue – at a point 20m west of its junction with Cullercoats Primary School Access.

The scheme is to improve the safety of pedestrians crossing at this point.

In accordance with Section 90C of the Highways Act 1980 North Tyneside Council gives notice that it proposes to construct a road cushion complying with the Highways (Road Cushions) Regulations 1999 at the following:

- Marden Avenue, Cullercoats, at a points 37m west and 6m east of its junction with Cullercoats Primary School Access.

The dimensions of the proposed cushions are:-

Width will be 1.7m and its length 3.7m

Height to be 75mm

Ramp gradients to be 1 in 13

The purpose of the scheme is to reduce vehicle speeds on the approach to the zebra crossing and improve safety for pedestrians.

Full details of the proposals, may be examined at the address below between 8.30am and 4.00pm on Mondays to Fridays or on the Council's website www.northtyneside.gov.uk (Statutory Notices). If you wish to object to the proposals, you should send the grounds for your objection in writing to the undersigned or via email to democraticsupport@northtyneside.gov.uk by 14 February 2018. Any objections received will be placed in the working file and can be viewed by the public if requested.

31 January 2018

Mrs V Geary, Head of Law & Governance

Quadrant, Silverlink North, Cobalt Business Park, NE27 0BY

