

North Tyneside Council Report to Cabinet Member for Environment and Transport Date: 13 August 2019

Traffic Regulation
Order – Balmoral
Gardens, North
Shields

Portfolio(s): Environment and Transport

Cabinet Member(s): Councillor 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: Preston

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce a 'No waiting at any time' restriction at the junction of Balmoral Gardens and Walton Avenue in North Shields and set aside one objection received to the proposal.

1.2 Recommendation(s):

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

- (1) considers the objection;
- (2) sets aside the objection in the interests of discouraging inconsiderate and obstructive parking thereby improving traffic flows and road safety; and
- (3) determines that an amended Traffic Regulation Order should be made involving a reduction in the length of part of the proposed restrictions.

1.3 Forward Plan:

Objections relating to proposed Traffic Regulation Orders are a standard 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 2016 to 2019:

- Our places will:
 - have an effective transport and physical infrastructure - including our roads, cycleways, pavements, street lighting, drainage and public transport

1.5 Information:

1.5.1 Background

The proposal to introduce waiting restrictions at the junction of Walton Avenue and Balmoral Gardens in North Shields was developed as a result of requests from local residents concerned about vehicles parking on both sides of the carriageway in this area and obstructing the junction. This proposal was also supported by ward councillors.

It is envisaged that the introduction of waiting restrictions will discourage obstructive junction parking at this location thereby facilitating vehicle movements and improving road safety.

Affected residents were informed of the proposal by letter and in accordance with the statutory process, a Notice of Intention for the proposal was displayed on site, in the local newspaper and on the Authority's website outlining the proposed restrictions.

Two objections were received in response to the statutory Notice of Intention. Having considered the comments raised by one of the objectors, officers felt that it may be appropriate to reduce the length of the proposed restrictions on the south side of Balmoral Gardens to bring them in line with the existing bollards (as shown on the amended plan in Appendix 4). The objectors were informed of this amended proposal and whilst one confirmed that he would be prepared to withdraw his objection if the restrictions were marked at a shorter length, the other wanted her objection to remain. A summary of the remaining objection is provided below.

1.5.2 Statutory Consultation

Parking 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 Objection

Miss H, a local resident, submitted an objection to the scheme based on her view that the proposed restrictions would have an adverse effect on residents and businesses by reducing the available on-street parking provision. In her opinion, the restrictions would put more pressure on the already limited parking provision in Balmoral Gardens.

The objector stated that waiting restrictions would be beneficial in the lane perpendicular to Balmoral Gardens but permit parking restrictions would be more suitable to Balmoral Gardens itself.

An officer wrote to the objector to clarify that the proposal had been developed as a result of concerns amongst residents regarding inconsiderate junction parking. It was explained that this solution was chosen as it would have the effect of better managing the parking at the junction and would provide safer provision for access and egress. It was also explained that following feedback from another resident, it was proposed to reduce the length of the restrictions on the south side of the road to allow vehicles to continue to park adjacent to the shops.

The objector was invited to reconsider her objection in light of this information by responding to officers in writing by 29th March 2019. No response was received.

1.6 **Decision options:**

The following decision options are available for consideration by the Cabinet Member for Environment 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 proposals will prevent obstructive junction parking and improve road safety.

1.8 **Appendices:**

- Appendix 1 Details of objection and associated correspondence
- Appendix 2 Legal Notice of Intention as published in local press
- Appendix 3 Plan of Original scheme
- Appendix 4 Plan of Amended scheme

1.9 Contact officers:

Andrew Flynn, Integrated Transport Manager, 0191 643 6083
Nicholas Bryan, Highway Network Manager, 0191 643 6622
Nick Saunders, Senior Traffic Engineer, Capita, 0191 643 6598
Alison Campbell, Senior Business Partner, 0191 643 7038

1.10 Background information:

North Tyneside Parking Strategy
http://www.northtyneside.gov.uk/browse.shtml?p_subjectCategory=360

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Funding is available from the 2019/2020 (Parking Management) Local Transport Plan capital budget.

2.2 Legal

Parking proposals that involve revocations or amendments to existing parking orders and any new parking restrictions 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 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.

The Legal Notice of Intent was published in the local press and may be cited as the North Tyneside (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 – variation order 2019

2.3 Consultation/community engagement

2.3.1 Internal consultation

Ward members' views on the proposal were sought as described in section 1.5.1.

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 – Miss H (dated 17th January 2019)

Good Evening,

I'm emailing to submit my objection for the double yellow lines to be placed at the entrance to Balmoral Gardens.

We purchased our property in Balmoral Gardens due to the location and unlike most streets nearby a huge selling point for me was the parking. Before submitting our offer we had spoken to neighbours and researched the parking element.

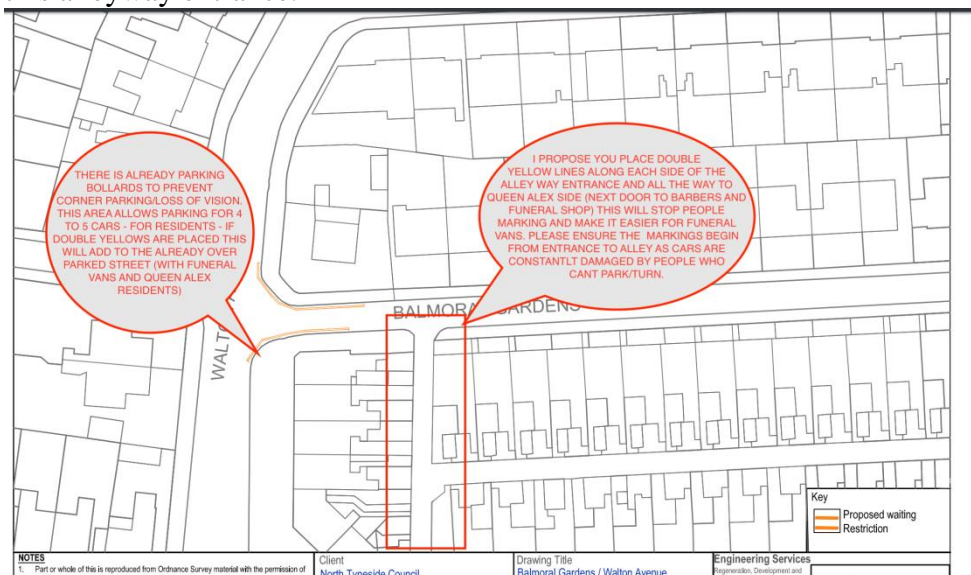
Whilst I fully understand there is local shops within a stones throw away from our front door (barbers, funeral directors, convenience store and cafe) working full time and not being in did not seem to be an issue for our lifestyle.

However as time has gone on it has been incredibly difficult to get parked of an evening and on weekends I have to leave my vehicle in the neighbouring streets such as; Otterburn, Cresswell and Walton Avenue (which I have had residents complain to me in person which can be quite daunting, however I have to explain that this is just the nature of the street and the added traffic such as two funeral vans which take up a huge amount of space when the workers pack up for the day /weekend and go home, leaving residents without parking for days on end).

There is many issues with parking factors in the street and the double yellow lines would only add to the list of problems we face!

1 - Double Yellow Lines - We have such limited parking due to the amount of flats resident's vs parking spaces. The street has many residents like mine who are working professionals who do both have vehicles. The addition of the yellow lines would remove an approximate 5 spaces that are currently used by the residents who live above the shops and possibly the odd one including myself who also squeeze there when available.

Solution - Do not place double yellow lines there. Instead please see my annotation of the current proposal. I suggest placing double yellow lines from the entrance of the back lane which runs from Balmoral to Queen Alex. Most weekends the lane is used by youngsters attending the local barbers of which speed along at dangerous speeds. Our vehicles have both been damaged following damage from this alleyway entrance.



2 - Parking Permits - I can provide registrations of cars who belong to residents on Queen Alex but park on Balmoral Gardens. Queen Alex residents would also benefit from parking permits especially with the new large Co-Op due for completion May 2019.

Solution - Permits would prevent constant rotation of busy traffic attending local businesses (will they be able to use the new Co-op car park instead?)

I moved into Balmoral Gardens as a first time buyer and my neighbours are lovely but we all spend more time complaining about parking three streets away from our homes and being blocked in by on call funeral vans instead of enjoying a good catch up instead!

I hope you take my views into consideration as I believe we have solutions to making this street and the surrounding a better area for all residents.

Council Response (dated 15 March 2019)

Dear Sir/Madam

Following your formal objection to the proposal which involves installing waiting restrictions on the junction of Balmoral Gardens and Walton Avenue, I would like to reiterate the extents of the proposal and the reasoning as to why we are proposing to install double yellow lines.

The proposal to introduce double yellow lines on this junction was brought to our attention by a resident who raised concerns relating to the safety of this junction as a direct result of obstructive parking. I believe that in the past the steel bollards were installed to prevent pavement parking on this particular junction and therefore it is our intention to further restrict this area by ensuring no vehicles can park on the carriageway within such close proximity to the junction.

In relation to your first point, we would not look to address a completely different junction as part of this scheme as it has already gone through the consultation process however if you would like to request this area to be considered for waiting restrictions in the future I can provide you with the link to our website which features a Parking Restriction Request form which can be completed and returned to be assessed against our new Parking Strategy.

To address your second point, I would like to inform you that we are going to be assessing the street for resident's permits in the next financial year following a request that we received in January.

As a compromise to ensure that the impact on parking was minimal we could look to reduce the length of the double yellow lines so that they were within the extents of the existing bollards.

If you would like to withdraw your objection in light of the information provided above I would be grateful if you could let me know in writing by 29th March. If I do not hear from you before then, I will assume that you still object to the proposed scheme and your objection will be included in a report to be presented to the Cabinet Member for Environment and Transport for consideration in the near future. You will be notified of the Cabinet Member's decision with regard to this scheme in due course.

If you have any further questions please do not hesitate to contact me.

NORTH TYNESIDE COUNCIL

(Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 and (On Street Parking Places) (Consolidation) Order 2017 Variation Orders 2019

North Tyneside Council gives notice that it proposes to make a Variation Order under Sections 1, 2 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 and all other enabling powers. The effect of the Orders, if made, will be to vary the North Tyneside (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 so that:-

No waiting at anytime restrictions (double yellow lines) will be introduced on:-

Balmoral Gardens, North Shields on both sides from its junction with

- Walton Avenue, to a point 19m east of that junction.

Walton Avenue, North Shields on its east side, from its junction with

- Balmoral Gardens to a point 4m north of that junction.

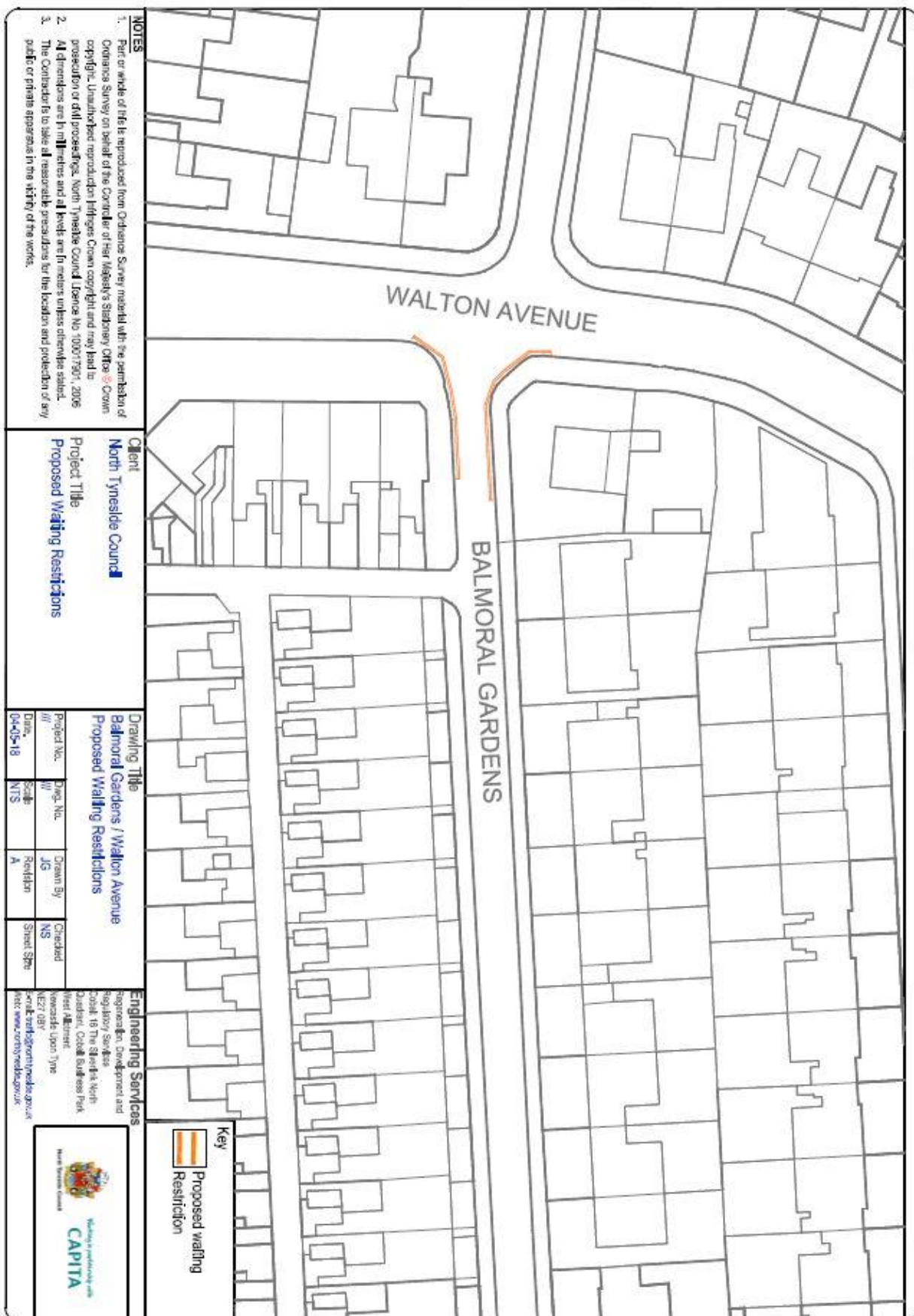
Further details of the proposals, may be examined at the address below between 8.30am and 4.00pm on Mondays to Fridays.

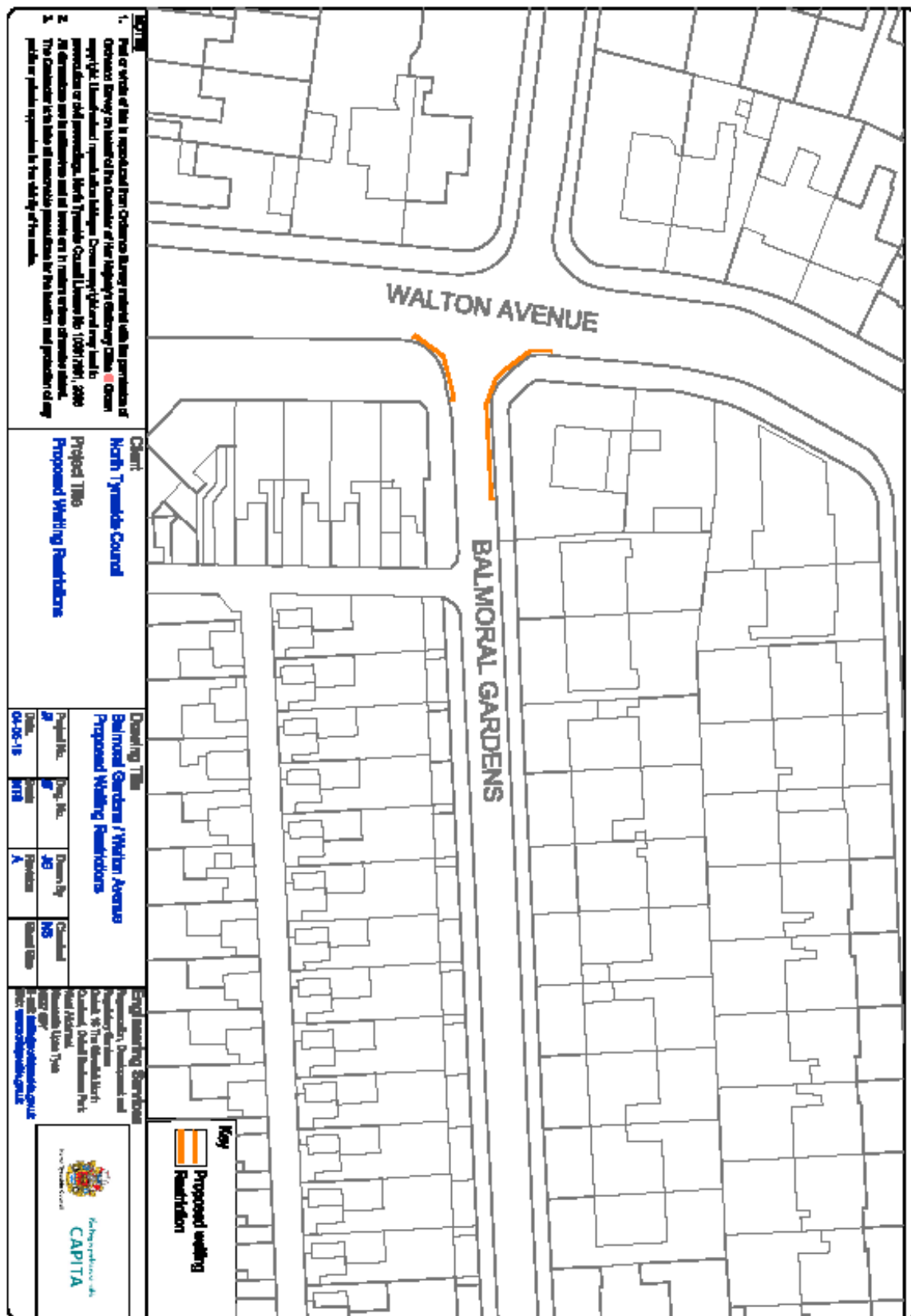
If you wish to object to the proposals, you should send the grounds for your objection in writing to the undersigned or via email to democraticsupport@northtyneside.gov.uk by 18 January 2019. Any objections received will be placed in the working file and can be viewed by the public if requested.

13 December 2018

Head of Law & Governance

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





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Client
 North Tyneside Council
Project Title
 Proposed Walking Restrictions

Drawing Title
 Balmoral Gardens / Walton Avenue
 Proposed Walking Restrictions

Project No.	Proj. No.	Drawn by	Checked
27	49	HS	HS
Date:	Scale:	Revision	Drawn Date
04-06-18	M18	A	

Right of Way Services
 Responsibility, Development and
 Regulatory Information
 Council: 16 The Quadrant, North
 Tyneside, Central, Newcastle Upon Tyne
 NE1 7EQ
 Email Address: enquiries@n-tyneside.gov.uk
 Website: www.n-tyneside.gov.uk



Key
 Proposed walking restriction