

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

**Traffic Regulation
Order – The Wynd,
Forest Hall**

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: Benton

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to reduce the length of an existing 'No waiting at any time' restriction at the junction of The Wynd and Clousden Drive in Forest Hall and set aside one objection received to this 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 providing additional parking for residents;
and
- (3) determines that the Traffic Regulation Order should be made unchanged.

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 reduce the length of the existing waiting restrictions on the north side of The Wynd in Forest Hall at its junction with Clousden Drive was developed following a request from a local resident with reduced mobility who has been prevented from parking in the immediate vicinity of his property due to the extent of the double yellow lines which were installed in June 2018. The resident had not expressed his concerns during the consultation exercise conducted prior to the installation of these restrictions as the plan sent to residents at that time did not accurately reflect the extent of the lines which were eventually introduced. The resident's request to reduce the length of the restrictions is supported by ward councillors.

To provide more detail on the consultation process mentioned above, prior to the installation of the lines last year, residents were sent letters with an accompanying plan informing them of the proposal and inviting comments. However, the plan was based on a previous proposal which involved double yellow lines being marked at the junction for a shorter distance than those subsequently advertised (11 metres rather than 18 metres). As no comments were received during the consultation process, the restrictions were installed at the longer length of 18 metres.

Site observations by officers established that the reduction of the existing waiting restrictions on the north side of the road by 7 metres would provide an additional on-street parking space for the use of residents and their visitors whilst maintaining adequate visibility and access for vehicles using the junction.

In accordance with the statutory process, a Notice of Intention was displayed on site, in the local newspaper and on the Authority's website outlining the proposed amendment to the existing restrictions.

One objection was received in response to the statutory Notice of Intention. A summary of this 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 Objections

Ms D, a local resident, submitted an objection to the proposal based on her view that the proposed reduction would be contradictory to the objectives of the recently installed double yellow lines. In her opinion, the restrictions had proved to be working very well and had improved visibility drastically.

An officer wrote to the objector to clarify that the proposal had been developed to provide an additional on-street parking space for the use of residents and their visitors following a request and that the remaining restrictions would still ensure that sufficient visibility and access at the junction is maintained.

It was also confirmed that the junction would be monitored in the event that the restrictions were amended and remedial measures considered if any issues with obstructive parking were observed.

The objector was invited to reconsider her objection in light of this information by responding to officers in writing by 8th February 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 provide additional on-street parking for residents and their visitors whilst maintaining adequate access and visibility for vehicles using the junction.

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 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 – Ms D (dated 17th January 2019)

With reference to the planning notice on the lamppost to the entrance of The Wynd, to reduce the length of the double yellow lines, since these were put down the visibility to enter and in particular exit the street has greatly improved; there are still the odd individual who parks on these.

To take these back would put us back to square one where we are nearly onto Clousden Drive before we can see if the access is clear and pulling onto this road is a nightmare at times with cars speeding down off Great Lime Road and using it as a rat race.

I would ask that you seriously consider leaving the lines as they are for safety reasons

Can I also make a point that the streets are not a car park for people using the facilities at Forest Hall Club and could parking permits be considered for the residents as the majority of people who do park at the entrance to the street are using the club

Kind regards

Council Response (dated 15 March 2019)

Dear Ms D,

Following your formal objection to the proposal which involves shortening the existing waiting restrictions on The Wynd, I would like to reiterate the extents of the proposal and the reasoning as to why we are progressing the request to reduce the length of the existing double yellow lines.

The proposal to reduce the length of the double yellow lines has been brought to our attention by a councillor who was concerned about the reduction of on-street parking provision following the installation of the double yellow lines. The proposal will only reduce the length of the restrictions by 3 metres and we feel that such a small reduction in the lines will still achieve the goal of improving road safety and visibility by discouraging parking near the junction.

We would also monitor the junction to ensure that the reduction did not create any further issues and address any observations with the appropriate level of action.

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 8th February. 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
Variation Order 2019**

North Tyneside Council gives notice that it proposes to make Variation Orders under Sections 1, 2, 32, 35 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:

1. the North Tyneside (Prohibition and Restriction of Waiting and Loading)

(Consolidation) Order 2016 so that:-

a) The existing no waiting at anytime restrictions be revoked:-

i) The Wynd, Forest Hall on its north side of from a point 11m east of its junction with Clousden Drive to a point 18m east 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

