

North Tyneside Council Report to Cabinet Member for Environment and Transport Date: 25 October 2019

Traffic Regulation
Order – Witton Road,
Shiremoor

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: Valley

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce 'School Keep Clear' restrictions around the turning area at the southern end of Witton Road and to 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 keeping the turning area clear for vehicles to manoeuvre safely particularly at school start and end times; 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 introduce 'school keep clear' zig-zag restrictions was developed as a result of a request from Shiremoor Primary School. The school is working alongside the Authority's Go Smarter initiative to improve the behaviour of parents parking around the school using newsletters, information on their website and initiatives such as car free days but it was felt that the introduction of additional parking restrictions may also be beneficial.

The school expressed concerns over the obstructive and inappropriate parking occurring in Witton Road at school drop off and pick up times. The parking is occurring in the turning area and restricts turning manoeuvres which is causing vehicles to reverse down the full length of Witton Road or use the footways to turn. Officers have also received feedback from residents and parents concerned about this issue. The proposal was supported by ward councillors.

Whilst there is an existing waiting restriction (single yellow line) operating at this location at school start and end times, it is believed that the proposed school keep clear markings will be more effective as this type of restriction tends to be better understood by members of the public. School keep clear restrictions are also easier to enforce. This is because waiting restrictions require an observation period before enforcement action can be taken whilst vehicles parking on a school keep clear restriction are committing an instant contravention. As such, school keep clear restrictions can be enforced by the Authority's CCTV enforcement vehicle.

It is envisaged that the introduction of the proposed restrictions on Witton Road will ensure that the carriageway is kept clear for turning manoeuvres at busy times whilst keeping any reduction in on-street parking provision for residents to a minimum.

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.

One objection was received in response to the statutory Notice of Intention. A summary of the 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 in accordance with the Scheme of Delegation for Cabinet Members.

1.5.3 Summary of Objections

A local resident submitted an objection to the scheme based on their view that the proposed restriction would have a detrimental effect on the residents of Witton Road and that the scheme would not resolve the issue of dangerous parking during times of increased vehicle and pedestrian activity. The resident also expressed concern over the suggested times of operation of the restriction as they felt that they did not accurately reflect the times that children were travelling to and from the school.

An officer wrote to the objector to clarify that the restrictions proposed were to be kept to the minimum length required to achieve the desired effect and would make the area safer. It was also explained that the proposed restrictions could be enforced more easily than the existing ones through the use of a CCTV car. The officer advised that consideration would be given to amending the times of operation, however following further consultation with Shiremoor Primary School it was decided that the times initially proposed would be more appropriate and in line with other restrictions in the area.

The objector was invited to reconsider their objection in light of this information by responding to officers in writing by 22 August 2019. A response was subsequently received asking for the objection to stand while also seeking clarification on how and when the proposed restrictions would be enforced. These queries were addressed by the officer in a further response to the objector.

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 proposal will help to keep the turning area clear and improve the safety of all road users on Witton Road during school start and end times.

1.8 **Appendices:**

- Appendix 1 Details of objections and associated correspondence
- Appendix 2 Traffic Regulation Order advertised on site
- Appendix 3 Copy of Proposed Plan

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
Cathy Davison, Principal Accountant Investment (Capital) and Revenue, 0191 643 5727

1.10 Background information:

North Tyneside Transport Strategy
<https://my.northtyneside.gov.uk/category/1237/transport-strategy>

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 2019/20 (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 Council (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 Variation Order No.8 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

- Chief Executive
- Head of Service
- Mayor/Cabinet Member
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy and Customer Service

Details of Objection – Mrs K (Dated 17th July 2019)

Firstly I would like to know who has raised this issue again as if it is the parents worrying about the safety of their children they should talk to their friends who do the illegal parking. If it is the school then they should involve the residents of this street. I feel that no consideration has been taken of our parking requirements.

I would like to raise my objections to the parking restrictions outside my house. This has been ongoing for many years and once again the new restrictions will only penalise the residents. I have to move my car from outside my house only to have a school parent park in its place. I am registered disabled and me and my visitors have to move our vehicles but the only time the parents take any notice is when the car with the big camera comes in the street. which is not very often.

I still feel the best course of action would be either give us residents parking or close the gate all together as they have many other exits to use. I would also like to suggest the parking times be changed to 2.30 till 3.30 as they start parking at 2.30 and the children are all gone by 3.30.

I would like clarification that the restrictions are only for when the gate is open as it is always closed by 3.30 and to impose restriction till 4.00 would once again only penalise the residents.

I would also like to know if we will be informed before the new markings are going to be done or will I just find out like I did the last time on my return home.

I would also like to know if this issue will be reassessed in an allotted time if no notice is taken of the new restrictions. As mentioned previously the only way to stop them parking is to close the gate. Why can this not be a consideration. Residents could then park freely and you would not have a costly issue to maintain or a safety issue for the children. As I have stated there are other entrances and exits to the school.

I look forward to hearing from you

Officer Response (Dated 24th July 2019)

I am emailing following your formal objection to the proposal which involves installing 'School Keep Clear' restrictions on Witton Road, I would like to reiterate the extents of the proposal and the reasoning as to why we are proposing to install zig-zag restrictions.

The proposal to introduce 'School Keep Clear' restrictions was brought to our attention by Shiremoor Primary School, who have raised concerns regarding the inappropriate parking of parents collecting and dropping children off at the school. This involves an upgrade of the existing single yellow line in order to provide a more enforceable restriction for the camera car to issue fixed penalty notices to any vehicles parked on the proposed restrictions. Parents will no longer be able to leave when they see the camera car as this new restriction can be enforced on immediate sighting of illegal parking. Please find a copy of this proposal attached.

All properties on Witton Road were involved in an informal consultation to investigate initial comments from residents regarding the proposal, in order to ensure that the parking requirements of residents have been taken into account.

In regard to residents only (permit) parking, we would not look to introduce this within Witton Road as the majority of properties have off street parking provision and the parking issues only

occur for short periods of time meaning that the situation wouldn't meet all the necessary criteria for permit parking restrictions. Details of our approach to the assessment and implementation of parking restrictions (such as permit parking) across the borough are included in North Tyneside Council's Parking Strategy which is available at the Council's website <https://my.northtyneside.gov.uk/category/737/parking-strategy>

In response to your query about closing the school entrance from Witton Road, officers would not look to consider this as a result of the following issues. Firstly this entrance provides an access point which is 351 metres closer than the main school gate at the west side of the school. By removing this option it could negatively impact on the choice of travel that parents decide to use on the school run and would likely cause a greater percentage of vehicles to be used for this purpose which would be unsustainable. Allowing the use of this gate also means that the issue of school parking is dispersed rather than concentrated at the west side of the school along Stanton Road and Brenkley Avenue, which we feel would cause a greater issue overall. It is also important the access is in use for health and safety reasons including fire risk.

Regarding your query in relation to the operating times of the proposed restrictions, we are currently investigating whether alternative times would be more suitable, and it is likely we will amend the proposed restrictions and existing single yellow line to apply [8:15 – 9:15am and 2:30 – 3:30pm].

I can ensure you that if the scheme is implemented, an order of making notice will appear on site prior to the works being undertaken. Any objectors will also be notified of the Cabinet Member for Environment and Transport's decision. I would also be happy to notify yourself regardless, if you were to withdraw your objection.

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 22nd August. 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. I would be happy to arrange a meeting on site to discuss your objection further if necessary.

Mrs K Response (Dated 5th August 2019)

hi there

thanks for getting back to me.

I do still want my objection noted as I still feel that the residents should have more of a say in what goes on in our street.

I would however like clarification that the restrictions are not enforced when the gate is closed as during bad weather the school does not open these gates.

They seem to keep them closed when it suits them.

If the restrictions are not enforced when the gates are closed i.e. school holidays then we could park without fear of fines.

Officer Response (Dated 11th September 2019)

Good Afternoon,

Apologies for my delay in response. I had to contact someone from our parking control team to ensure I had the correct information to supply to yourself.

In regard to the enforcement of these restrictions, we would not look to enforce them outside of school times (holidays) however they will likely still be enforced during school time even if the gate is closed.

If you wish to withdraw your objection in light of the extra information above, please let me know.

NORTH TYNESIDE COUNCIL
(Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 Variation
No.8 2019

North Tyneside Council gives notice that it proposes to make Variation Orders 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

1. the North Tyneside (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 so that:-
 - a) Waiting restrictions between 8.15am and 9.15am or 3pm and 4pm, Monday to Friday (Schedule 13) be amended to:
 - i) Revoke Item 8i Witton Road, Shiremoor - Both sides, between a point 90 metres south of its junction with Craster Avenue and its cul-de-sac end.
 - ii) Amend Item 8ii Witton Road, Shiremoor to - West side, from its junction with Craster Avenue to a point 69 metres south of that junction.
 - b) No Stopping on School Entrance Markings between 8.15am and 9.15am or 3pm and 4pm, Monday to Friday (Schedule 15) to introduce:

Witton Road, Shiremoor

- West side, from a point 69 metres south of its junction with Craster Avenue to a point 104 metres south of that junction including the turning area.
- East side, from a point 75 metres south of its junction with Craster Avenue to a point 97 metres south 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.

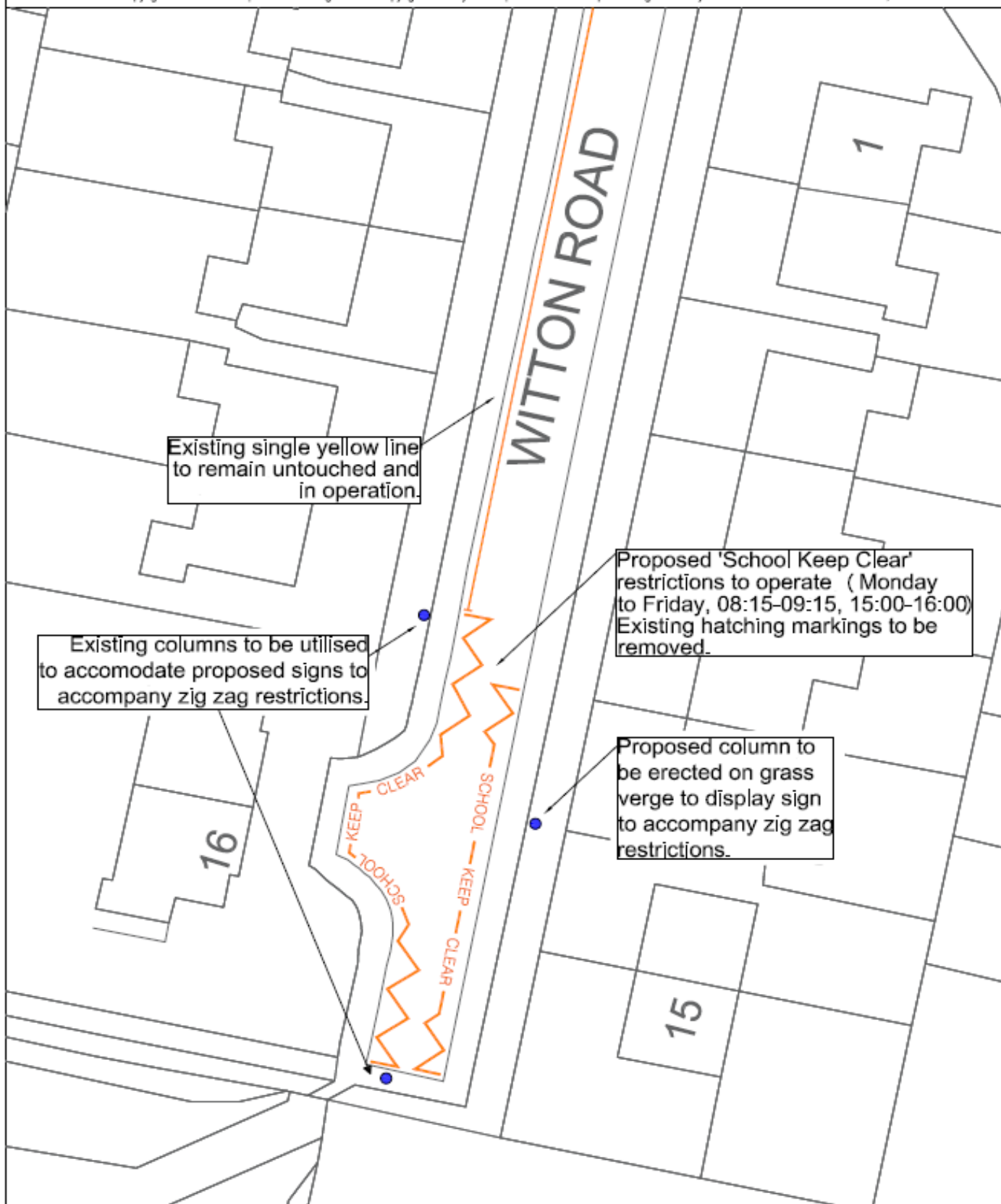
If you wish to object to the proposals, you should send the grounds for your objection in writing to the undersigned or via email to democraticsupport@northtyneside.gov.uk by 6 August 2019. Any objections received will be placed in the working file and can be viewed by the public if requested.

16 July 2019

Head of Law & Governance

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

Part or whole of this is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. North Tyneside Council Licence No 100017901, 2006



Engineering Services
 Regeneration, Development and Regulatory Services
 Cobalt 16 The Silversink North
 Quadrant, Cobalt Business Park
 West Allotment
 Newcastle Upon Tyne
 NE27 0BY
 Email: tsr@northtyneside.gov.uk
 Web: www.northtyneside.gov.uk



Drawn
RJ
 Checked
NS
 Scale
NTS
 Date Drawn
09/04/2019

Client
North Tyneside Council
 Project Title
Witton Close,
Shiremoor
 Drawing Title
Proposed 'School Keep Clear' zig-zag restrictions.

Project No.
WITZZ01
 Drawing No.
001
 Revision
A
 Sheet Size
A3