

# North Tyneside Council

## Report to Cabinet Member for Environment and Transport

Date: ## May 2020

**Title:** Traffic Regulation Order – Berry Close, Wallsend

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<b>Portfolio(s):</b> Environment and Transport	<b>Cabinet Member(s):</b> Cllr C Johnson
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**Report from Service Area:** Environment, Housing and Leisure

**Responsible Officer:** Phil Scott, Head of Environment, Housing and Leisure (Tel: 0191 643 7295)

**Wards affected:** Battle Hill

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### PART 1

#### 1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce waiting restrictions (double yellow lines) on Berry Close, Wallsend 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 maintaining visibility for vehicles exiting Berry Close onto Blackthorn Drive thereby improving 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 2020 to 2024:

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

## 1.5 Information:

### 1.5.1 Background

The proposal to introduce waiting restrictions on Berry Close was developed following a request from a resident who raised concerns about obstructive parking causing a lack of visibility for vehicles attempting to exit Berry Close onto Blackthorn Drive. The request was assessed in accordance with the criteria set out in the North Tyneside Parking Strategy which included site visits to confirm the reported issue. The proposal was supported by ward councillors.

Affected residents were informed of the proposal by letter initially 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.

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 in accordance with the Scheme of Delegation for Cabinet Members.

### 1.5.3 Summary of Objection

**Mr M**, a local resident, submitted an objection to the scheme based on his view that no incidents had occurred at the junction and the proposed restrictions would have a detrimental effect on parking provision for residents.

An officer wrote to the objector to clarify that the proposed restrictions had been kept to the minimum length required for them to be effective and that the junction was not an appropriate place to park vehicles.

The objector was invited to reconsider their objection in light of this information by responding to officers in writing by 25<sup>th</sup> March 2020. No response was received from the resident.

## **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 ensure that visibility at the junction of Berry Close and Blackthorn Drive is maintained, thereby improving road safety.

## **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

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 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 2020/21 (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 2019 Variation Order 2020

## **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 – Mr M (Dated 6<sup>th</sup> February 2020)**

I wish to register my objection to the proposed yellow lines at the junction of Blackthorn drive and Berry Close. My objection is based on the facts that no incidents have occurred (including near misses) and there is insufficient parking for residents and visitors at present. No alternative or proposed extension of parking spaces has been offered or as far as I am aware even considered. I would like the proposed yellow lines put on hold until alternative parking arrangements have been considered and adequate parking for residents and visitors has been achieved.

**Officer Response (Dated 11<sup>th</sup> March 2020)**

I am emailing following your formal objection to the proposal to introduce waiting restrictions at the junction of Berry Close and Blackthorn Drive (as shown on the attached plan). I would like to clarify the extents of the proposal and the reasons why we are proposing to change these restrictions.

The proposal to introduce double yellow lines on the junction of Berry Close and Blackthorn Drive has been developed as a result of residents' concerns about restricted visibility at this junction. It is expected that the proposed restrictions would prevent vehicles from parking in an obstructive manner at this location. We have kept the length of the waiting restrictions to a minimum to minimise any impact on parking provision for residents but would point out that as per Department for Transport guidance, the location of the proposed restrictions is not an appropriate parking place due its proximity to a junction.

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 25<sup>th</sup> March 2020. 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 2019 Variation  
Orders 2020**

North Tyneside Council gives notice that it proposes to make Variation Orders under Sections 1, 2, 45, 46 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 2019 so that no waiting at any time restrictions (double yellow lines) be introduced on:-

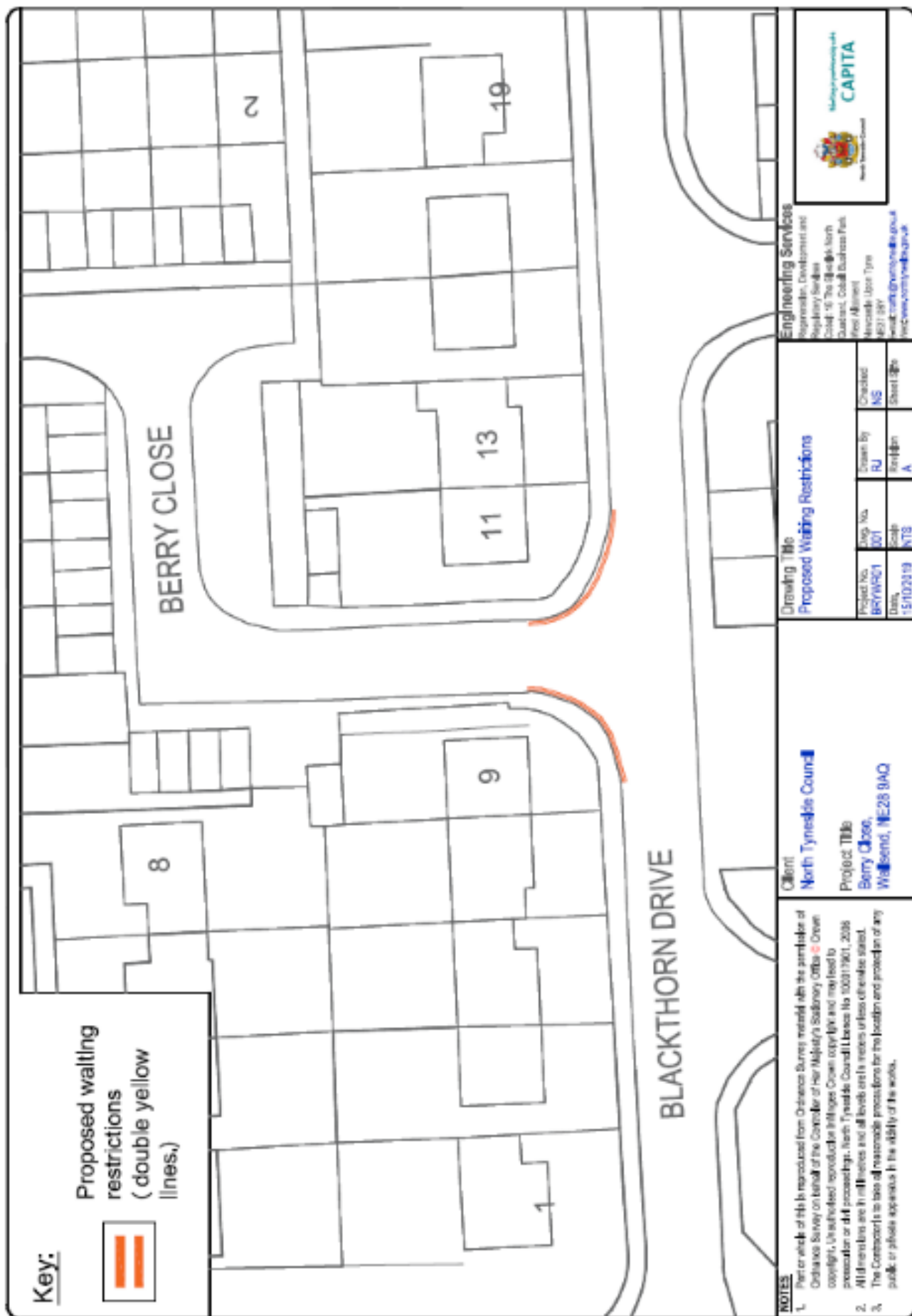
- i) Berry Close, Wallsend, both sides, from its junction with Blackthorn Drive to a point 8 metres north of that junction.
- ii) Blackthorn Drive, Wallsend, north side, from a point 9 metres west of its junction with Berry Close to a point 9 metres east of that junction.

Details of the proposals may be examined at the address below between 8.30am and 4.00pm on Mondays to Fridays or online [www.northtyneside.gov.uk](http://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](mailto:democraticsupport@northtyneside.gov.uk) by 21 February 2020. Any objections received will be placed in the working file and can be viewed by the public if requested.

31 January 2020

Head of Law & Governance

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



**NOTES**

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2. All dimensions are in millimetres and all levels are in metres unless otherwise stated.
3. The Contractor to take all reasonable precautions for the location and protection of any public or private apparatus in the vicinity of the works.

**Client**

North Tyneside Council

**Project Title**

Berry Close,  
Walston, NE28 8AQ

**Drawing Title**

Proposed Waiting Restrictions

Project No.	App. No.	Checked
BR/MS/01	001	NS
Date:	Drawn By	Sheet No.
15/10/2019	RJW/jjn	A
	Scale	Sheet Size
	NTS	A3

**Engineering Services**

Regeneration, Development and  
Regulatory Services  
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