

North Tyneside Council

Report to Cabinet Member for Environment and Transport

Date: ## May 2020

Title: Traffic Regulation Order – Cauldwell Lane, Monkseaton

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: Monkseaton South

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce waiting restrictions and a time-limited parking restriction on Cauldwell Lane, Monkseaton 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 preventing long stay parking and improving provision for customers of local businesses; 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 create additional parking provision in the lay-by adjacent to the shops on Cauldwell Lane opposite the junction with Woodleigh Road was developed as a result of correspondence from a local business which raised concerns that there was insufficient parking in the area for customers. The bus stop with associated clearway markings was consequently relocated from within the lay-by to the main carriageway to allow the lay-by to be used for parking. However, following reports that the lay-by was being used for long stay parking, it was proposed to implement a time-limited restriction of 1 hour with no return within 2 hours which would apply Monday to Saturday between 8am and 6pm. The proposal also included double yellow lines at each end of the lay-by to facilitate access and egress. Residents and businesses in the vicinity of the lay-by were sent letters informing them of the proposal which was supported by ward councillors.

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 business submitted an objection to the scheme based on their view that the proposed restrictions would be detrimental to business owners and their customers and would also inconvenience local residents by causing parking to be displaced to in front of their properties.

An officer wrote to the objector to clarify that the proposed restriction on length of stay would increase the turnover of parking spaces and that the bus stop had been removed from the lay-by for the purpose of creating additional customer parking. The officer also

explained that the waiting restrictions had been proposed for both ends of the lay-by to ensure access and egress could be maintained.

The objector was invited to reconsider their objection in light of this information by responding to officers in writing by 25th March 2020. The objector responded to ask why similar restrictions were not being proposed for another parking lay-by in the vicinity of the shops. An officer wrote to explain that the use of the parking bay in question would be monitored and the introduction of restrictions there considered if appropriate. The objector responded confirming that they did not wish to withdraw their objection to the proposed restrictions.

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 prevent long stay parking thereby improving provision for customers of local businesses.

1.8 Appendices:

Appendix 1 Details of the objection 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 and (On Street Parking Places) (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 – A local business (Dated 20th February 2020)

I think the proposed parking restrictions will make it difficult for someone like myself, not being able to park outside my own shop throughout the day.

By restricting the parking which effects everyone, customers included means we have to find a parking space in front of a house which therefore means that homeowner have to park further up or down the street from their own home which I'm sure they won't appreciate.

I am a sole trader so therefore only take one space during the day, if I'm lucky enough to get one, but having to move my car after an hour is not practical nor convenient.

My customers often pull up for a maximum of 5 minutes *[to use the business, then return later]* but if there is a chance of getting a ticket because of the yellow lines could potentially damage my trade.

I appreciate there has to be some fair sort of system but I also think that business owners should be able to park outside their shop for no matter how long their working day is.

I don't open until 10am and don't always get a space and it is inconvenient especially if I'm carrying heavy stock into *[my premises]* but if I do and have to move after an hour it is going to be stressful especially if I'm in the process of *[working]* and realise I have to move my car and *[interrupt work]*.

Many thanks for taking the time to read my views.

Officer Response (Dated 11th March 2020)

I am emailing following your formal objection to the proposal to introduce a time-limited parking bay and waiting restrictions on Cauldwell Lane (as shown on the attached plan). I would like to clarify the extents of the proposal and the reasons why we are proposing to introduce these restrictions.

The proposal to implement time-limited parking has been developed to increase the turnover of customer parking for local businesses in the area. It will ensure that no vehicles are left within the bay for more than one hour between 8am and 6pm, Monday to Saturday. Please note that the decision to move the bus stop out of the lay-by was taken last year in order to provide additional parking capacity for businesses but the intention was always that it would be used by customers to access the shops rather than for long stay parking (including by business owners).

The double yellow line restrictions included in the proposal have been kept to a minimum length and are only proposed within the hatched, tapered sections to facilitate vehicle manoeuvres into and out of the bay. It should be noted however that Penalty Charge Notices will not be issued to a vehicle within the first five minutes of an enforcement officer witnessing it parked on double yellow lines and therefore the customers you have referenced in your objection would be able to use these areas to drop off and pick up passengers or goods.

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 25th 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.

Objector response (Dated 11th March 2020)

Thank you for your email.

Why is this not happening to the two spaces bay at Wilson Court yet it's happening to the bay mentioned?

When I pay £[amount] a year rent for the shop and cannot park outside during my working hours I think it's a disgrace!!

Officer Response (Dated 18th March 2020)

As previously explained, the bus stop was removed from the bay outside your business specifically to provide additional short stay parking for customers. We will monitor the situation in the bay outside Wilson Court if the proposed restrictions are implemented and consider a similar arrangement there if appropriate.

I appreciate that the proposal will not allow all day parking in the new bay (including by business owners such as yourself) but the benefit to businesses in terms of increased turnover of parking spaces for customers should be significant. As previously mentioned, I would be grateful if you could let me know if you would like to withdraw your objection in writing by 25th March 2020. Otherwise, it will be presented to the Cabinet Member for Environment and Transport for consideration in the near future.

Objector response (Dated 18th March 2020)

I do not wish to withdraw my objection.

I understand what you are saying regarding turn over of customers to the businesses but as I pointed out when you were here people spend approximately 3-5 minutes parked so they can use the post office mainly which is convenient for them but not when you have to be parked all day!

These above said people could park anywhere for those few minutes to buy a stamp etc they won't have the daily struggle of parking for work!

This country is totally backward, as are councils with their theories implementing such parking restrictions for those spending hours at work.
So much for looking after local businesses!

Officer Response (Dated 18th March 2020)

Your comments have been noted and I can confirm that your objection will be included within a report to be presented to the Cabinet Member for Environment and Transport. It is anticipated that this will be undertaken in April 2020, however this is subject to the developing situation surrounding Covid-19 and therefore may be delayed. You will receive an update once a decision has been reached.

In the meantime, if you have any queries or further comments you would like to be included within the report please do not hesitate to let me know.

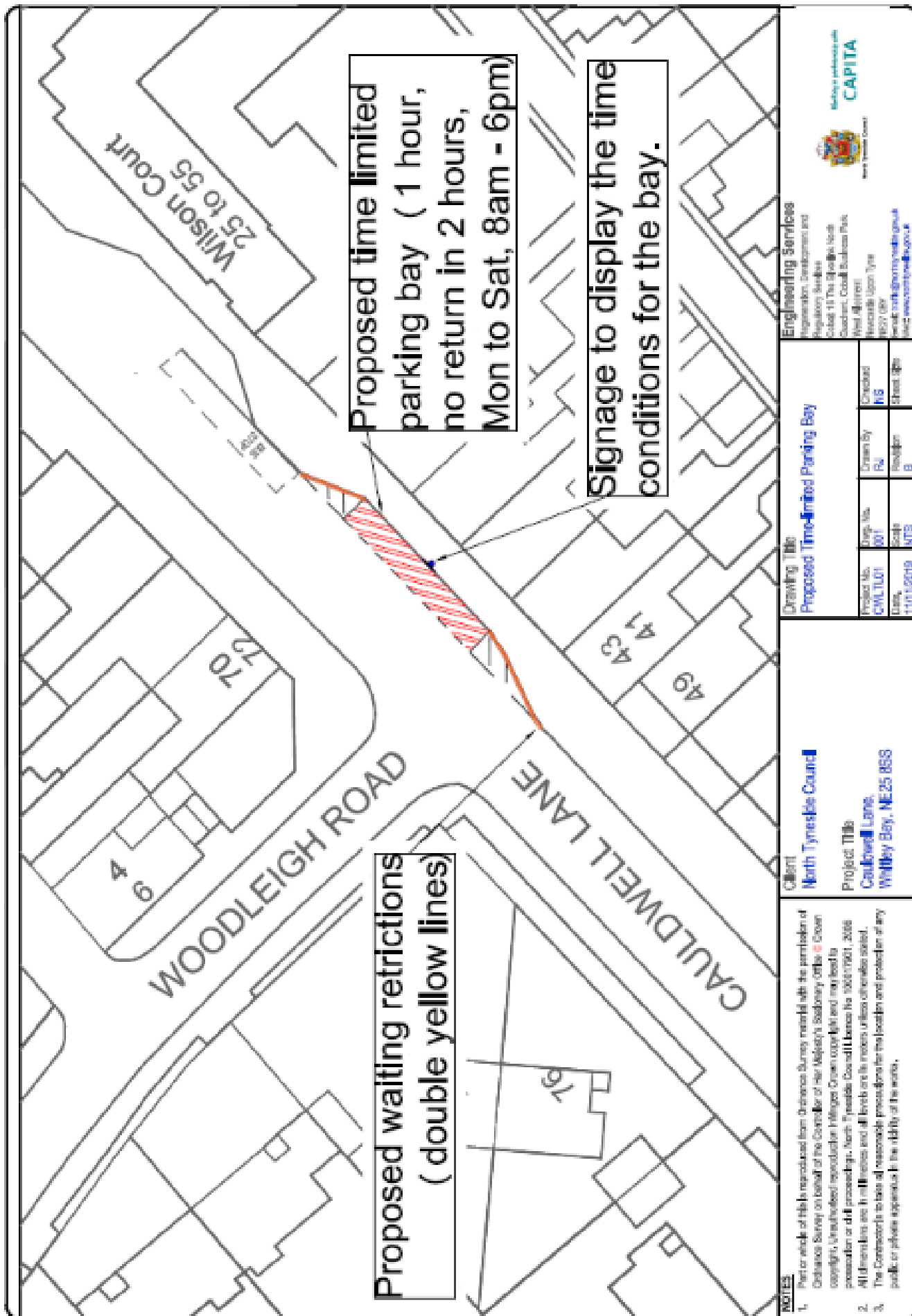
**NORTH TYNESIDE COUNCIL
(Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2019 and (On
Street Parking Places) (Consolidation) Order 2019 Variation Orders 2020**

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:

- A. The North Tyneside (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2019 so that:
 - a) No waiting at any time restrictions (double yellow lines) be introduced on:-
 - i) Cauldwell Lane, Monkseaton, south-east side, from a point 49 metres south-west of its junction with Bromley Avenue to a point 59 metres south-west of that junction.
 - ii) Cauldwell Lane, Monkseaton, south-east side, from a point 72 metres south-west of its junction with Bromley Avenue to a point 82 metres south-west of that junction.
- B. the North Tyneside (On Street Parking Places) (Consolidation) Order 2019 so that limited waiting parking places be introduced on Cauldwell Lane, Monkseaton, south-east side, from a point 59 metres south-west of its junction with Bromley Avenue to a point 72 metres south-west of that junction to be operational on Monday to Saturday between 8.00am and 6.00pm. Waiting to be limited to 1 hour with no return within 2 hours.

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 (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 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



Proposed time limited parking bay (1 hour, no return in 2 hours, Mon to Sat, 8am - 6pm)

Signage to display the time conditions for the bay.

Proposed waiting restrictions (double yellow lines)

NOTES

1. 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 has no liability for the accuracy of this information. All names are in millimetres and all levels and its meters unless otherwise stated.
2. 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
Cauldwell Lane, Windley Bay, NE25 8SS

Drawing Title:
Proposed Time-limited Parking Bay

Project No.	Drawn By	Contract
CWL1101	RJ	118
Date:	Scale	Street sign
+1/11/2019	A12	B

Engineering Services
 Regulation, Development and
 Repairs Section
 10 The Seaside
 Seaside, Coold Business Park
 (Tel: 0191) 2751111
 Fax: 0191 2751111
 Email: enr@northyorks.gov.uk
 Web: www.northyorks.gov.uk

