

North Tyneside Council

Report to Cabinet Member for Environment and Transport

Date: ## May 2020

Title: Traffic Regulation Order – Linden Road, Longbenton

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:	Longbenton	

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce a permit parking scheme with associated waiting restrictions in Linden Road, Longbenton 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 reducing the volume of non-residential weekday parking on Linden Road and affording residents some priority to park near their homes; 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 a permit parking scheme on Linden Road was developed to address concerns raised by residents about the amount of non-residential parking associated with this street during the week.

Parking surveys were consequently conducted during the week to establish the volume of on-street parking occurring and the proportion of this associated with non-residents. As the results of these surveys met the relevant criteria set out in the North Tyneside Parking Strategy, a proposal was drafted in autumn 2019 to install permit parking restrictions on both sides of Linden Road which would apply between 9am and 5pm, Monday to Friday. Letters were sent to residents providing details of the proposed restrictions and asking them if they supported the scheme. As the majority of residents of Linden Road confirmed that they supported the proposal, it was formally advertised.

During the statutory consultation period, a substantial number of formal objections to the proposal were submitted by residents of streets adjoining Linden Road. The main concerns raised were in relation to the likely displacement of parking into these streets and the belief that the amount of parking provision allocated for the exclusive use of residents of Linden Road and their visitors during the day was excessive given the limited number of properties on the street.

As a result of these objections and following discussions with ward councillors, a further review of residential parking demand and on-street capacity in Linden Road was conducted. Following this, it was agreed that the proposed scheme should be amended.

Under the amended proposal, weekday daytime permit parking restrictions would be applied to the east side of Linden Road only. Residents living on both sides of the Linden Road would be eligible to apply for permits to park within the restricted area. Parking areas on the west side of Linden Road would remain unrestricted, and could therefore be used by residents of neighbouring streets, e.g. those living at the eastern ends of Beech Grove and Sandringham Avenue. The proposal also includes the introduction of double yellow lines on Linden Road at its junctions with adjoining streets to discourage obstructive parking at these locations.

Letters were sent to all residents of Linden Road and to everyone who had objected to the previous scheme to make them aware of the new proposal.

In accordance with the statutory process, a Notice of Intention for the amended proposal was then displayed on site, in the local newspaper and on the Authority's website.

One objection was received in response to the statutory Notice of Intention from a resident who had also objected to the previous proposal. 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

Ms N submitted an objection to the scheme based on her view that the amount of parking set aside for residents of Linden Road was excessive given the limited number of properties on the street and the restrictions would reduce the amount of overflow parking available for residents of adjoining streets.

The objector also highlighted that the side of the road due to be restricted (the east side) has a larger capacity for parking than the one that will remain unrestricted and therefore felt that it would be more appropriate to introduce the restrictions on the west side given the limited number of properties on the street.

An officer wrote to the resident to clarify that the east side of the road was proposed to be designated as a permit parking area as there are more properties on that side of the road. It was also explained that residents on the east side of Linden Road have reported the issue of parking by non-residents frequently blocking accesses to their garages and the proposed restrictions would help to prevent this from occurring.

The officer also confirmed that if restrictions were introduced on Linden Road, their impact on the adjoining streets would be monitored and further surveys carried out if necessary. The scheme could then be extended to include additional streets in the future if appropriate.

The objector was invited to reconsider her objection in light of this information by responding to officers in writing by 13 March 2020. No such 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 in the interests of reducing the volume of non-residential weekday parking on Linden Road, giving residents there some priority to park near their homes.

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>

North Tyneside Transport Strategy
<https://my.northtyneside.gov.uk/category/1237/transport-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 traffic regulation orders and any new orders 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 2019 and (On Street Parking Places) (Consolidation) Order 2019 – Variation Orders 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 – Ms N (Dated 7th February 2020)

I note the revised proposal to introduce weekday daytime parking restrictions to one side of Linden Road.

I remain of the opinion that the loss of parking places seems disproportionate to the number of properties benefitting. From the plan, it would appear the side with more parking places will be restricted. It would seem fairer to allocate residents' permits to the other side of the road where there is already a bay marked Disabled which presumably is allocated to a resident.

I look forward to hearing from you in due course.

Ms N

Officer Response (Dated 28th February 2020)

Dear Ms N,

I am writing with reference to your recent objection to the proposal to introduce daytime permit parking restrictions on one side of Linden Road. The original proposal which involved permit parking restrictions being introduced on both sides of the road was amended to take into account the views of a number of local residents (including yourself) who were concerned about the impact of displaced parking and felt that a reduced scheme would be more appropriate.

It was decided that the east side of the road should be designated a permit parking area as there are more properties on this side of the road and some residents have particular issues with vehicles associated with non-residents blocking access to the garages on this side. As properties on both sides of Linden Road (currently 11) would be eligible to apply for permits it was felt that the slightly greater capacity on the east side would make it more appropriate for permit parking to give residents and their visitors (who all have to pay for permits) a greater chance of finding a space. For information, whilst advisory disabled bays are installed following applications from specific residents (which have to meet a set criteria) they are not restricted to the use of that particular individual.

As previously advised, if restrictions were introduced on Linden Road, their impact on the adjoining streets would be monitored and further surveys carried out if necessary. The scheme could then be extended to include additional streets in the future if appropriate.

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 13th 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 about this scheme in due course.

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:-

1. Beech Grove, Benton, north side, from its junction with Linden Road to a point 5m west of that junction.
2. Beech Grove, Benton, south side, from its junction with Linden Road to a point 6m west of that junction.
3. Linden Road, Benton, east side from a point 5metres south of its junction with Ashleigh Grove to a point 13 metres south of that junction.
4. Linden Road, Benton, west side, from its junction with Ashleigh Grove to a point 5 metres south of that junction.
5. Linden Road, Benton, west side, from a point 21m south of its junction with Ashleigh Grove to a point 30m south of that junction.
6. Linden Road, Benton, west side, from a point 5m north of its junction with Beech Grove to a point 4m south of that junction.
7. Linden Road, Benton west side, from a point 83m south of its junction with Ashleigh Grove to a point 92m south of that junction.
8. Linden Road, Benton west side, from its junction with Sandringham Avenue to a point 5 metres north of that junction.
9. Sandringham Avenue, Benton, east and south sides, from its junction with Linden Road in a southerly then westerly direction for a distance of 15 metres.

B. the North Tyneside (On Street Parking Places) (Consolidation) Order 2019 so that:

- a) permit holder parking places, to be operational between 9.00am and 5.00pm, Mondays to Fridays, be introduced on the east side of Linden Road, Benton from a point 13 metres south of its junction with Ashleigh Grove, to a point 115 metres south of that junction.
- b) The following addresses be included in the list of properties eligible for the issue of parking permits and vouchers
 - i) 3 & 5 Linden Road, 1 to 4 Linden Terrace and 1 & 2 Station Cottages, Benton (Zone BEN2)

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

