

North Tyneside Council

Delegated Decision Report

Date: 4 November 2022

Title: Experimental Traffic Regulation Order – Cheviot View, Benton

Report by: Gary Walker, Sustainable Transport Team Leader

Report to: John Sparkes, Director of
Regeneration and Economic
Development

Wards affected: Benton

PART 1

1.1 Executive Summary:

This report seeks a delegated authority to make an 18-month Experimental Traffic Regulation Order for the introduction of limited waiting restrictions (single yellow line) on Cheviot View, Benton.

1.2 Recommendation(s):

It is recommended that the Director of Regeneration and Economic Development agrees that an Experimental Traffic Regulation Order for the proposal should be made in line with relevant statutory requirements.

1.3 Forward Plan:

Seeking delegated decisions to make 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 2021 to 2025:

- A secure North Tyneside
 - We will continue to invest £2m per year in fixing our roads and pavements

1.5 Information:

1.5.1 Background

The Authority has received complaints from local residents over a number of years regarding parking availability on and around Cheviot View. These relate primarily to the lack of available parking for residents of Cheviot View under current arrangements.

As such, it is proposed that on sections of Cheviot View, on an experimental basis, parking should be allowed at all times other than when access is required for refuse collection. It is further proposed, on a permanent basis, that 'no waiting at any time' restrictions should apply on other sections of Cheviot View; and that 'no waiting' restrictions should be revoked on short sections of A191 Front Street, allowing limited additional on-street parking.

1.5.2 Proposed Experimental Traffic Regulation Order

The proposal associated with this report involves an Experimental Traffic Regulation Order to introduce a limited waiting restriction (single yellow line) on sections of Cheviot View which prohibits parking between 8am and 12midday on Thursdays, with parking allowed at all other times. The timing of the waiting restriction reflects the need for access for refuse collection, which takes place on Thursday mornings. A drawing showing the proposals in more details is set out in Appendix 1.

The proposed experimental waiting restriction will contribute to increasing parking provision for residents while being consistent with road safety considerations.

The experimental restriction would be in place for a period of up to 18 months; at the end of this period there would be the possibility for the Authority to seek to introduce a permanent Traffic Regulation Order with the accompanying statutory consultation requirements as set out in section 2.2.

1.5.3 Consultation

Engagement on the scheme was undertaken with local residents and ward Members in Summer 2022. The Cabinet Member for Environment has been updated on the proposals.

Proposals that restrict traffic movements are subject to statutory legal process as described in section 2.2.

1.6 Decision options:

The following decision options are available for consideration by the Director of Regeneration and Economic Development:

Option 1

To approve the recommendations as set out in paragraph 1.2 above.

Option 2

Not to approve the recommendations as set out in paragraph 1.2 above.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

The proposals will increase parking provision for residents while being consistent with road safety considerations.

1.8 Appendices:

Appendix 1 Plan of scheme

Appendix 2 Equality Impact Assessment – Cheviot View, Benton area waiting restrictions

1.9 Contact officers:

Gary Walker, Sustainable Transport Team Leader, Capita, 0191 643 6219

Andrew Flynn, Integrated Transport Manager, 0191 643 6083

1.10 Background information:

- (1) [North Tyneside Transport Strategy](#)
- (2) [North Tyneside Parking Strategy](#)
- (3) [Road Traffic Regulation Act 1984](#)
- (4) [Local Authorities' Traffic Orders Regulations 1996](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Funding to advertise and implement the proposal is available from the 2022/23 Local Transport Plan – Parking Management budget.

2.2 Legal

The statutory consultation process is 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. For Experimental Traffic Regulation Orders, this requires the Order making Authority to publish a notice of making within 14 days of the Order being made and at least 7 days before the provision of the Order comes into operation.

In North Tyneside, in addition to being published in a local newspaper, notices of making are displayed on the Authority's website and on roads affected by the Order. Documents relating to the scheme are also available for public inspection at the Authority's offices at Quadrant.

Experimental Traffic Regulation Orders are not permitted to continue for longer than 18 months. They can be modified or suspended during that time if considered appropriate by the Order making Authority. An Experimental Traffic Regulation Order may include provision empowering a specified officer of the authority who made it, to modify or suspend the operation of the Order or any provision of it if it appears to him essential. In North Tyneside, Experimental Traffic Regulation Orders may be modified or suspended by the Authority's Director of Regeneration and Economic Development.

In accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, objections to Experimental Traffic Regulation Orders are not

invited. However, if the Authority deems it appropriate to continue the provision of the Order at the end of the trial period, it will seek to introduce a permanent Traffic Regulation Order with the accompanying statutory consultation requirements. This allows objections to be made to proposals to make experimental schemes permanent.

2.3 Consultation/community engagement

2.3.1 Internal consultation

Internal consultation has involved the Cabinet Member for Environment. Ward members' views on the proposal were sought as described in section 1.5.3.

2.3.2 Community engagement

Views on the proposal were sought as described in section 1.5.3. The proposal is to be advertised in line with statutory process as set out in section 2.2.

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

An Equality Impact Assessment for the Cheviot View, Benton scheme has been undertaken and is attached as Appendix 2 to this report. This notes that the identified potential impacts are positive: these relate to parking opportunities for people who have a disability.

2.6 Risk management

There are no risk management implications arising directly from this report. Strategic and operational risks associated with transport matters are assessed via the established corporate process.

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 Finance Officer

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- Monitoring Officer

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- Assistant Chief Executive

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Appendix 1 – Plan of Scheme

