

North Tyneside Council

Report to Director of Regeneration and Economic Development

Date: 21 March 2023

Title: Traffic Regulation Order – Waiting Restrictions, Cedartree Gardens, Whitley Bay

Report by: Nick Saunders, Senior Traffic Engineer

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

Wards affected: Monkseaton South

PART 1

1.1 Executive Summary:

This report seeks a delegated decision to advertise and, in the event that no objections are received, make variations to restrictions on waiting and loading which involve the introduction of 'no waiting at any time' (double yellow lines) restrictions on Cedartree Gardens, Whitley Bay.

1.2 Recommendation(s):

It is recommended that the Director of Regeneration and Economic Development makes a delegated decision

- (1) that notices for the proposal should be prepared and advertised in line with relevant statutory requirements;
- (2) that in the event that no objections are received following the period of consultation required by statute, that the circumstances do not warrant the holding of a Public Inquiry; and
- (3) that if no objections are received following the period of consultation required by statute, the Traffic Regulation Order shall be made.

1.3 Forward Plan:

Seeking delegated decisions to advertise and, in the event that no objections are received, 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 green North Tyneside
 - We will publish an action plan of the steps we will take and the national investment we will seek to make North Tyneside carbon net-zero by 2030
- 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 proposal to introduce waiting restrictions in Cedartree Gardens was developed to address concerns amongst some residents and bus operators regarding obstructive and indiscriminate parking causing access issues for buses serving this area.

The Authority has undertaken parking assessments in accordance with Annex 6 of the North Tyneside Parking Strategy. These assessments were undertaken between 2020 and 2022 and identified that obstructive parking was taking place restricting access for large vehicles and creating a potential road safety issue.

This proposal necessitates variations to the existing traffic movement restrictions contained in existing Traffic Regulation Orders (TROs).

1.5.2 Proposal in relation to waiting restrictions

It is proposed to implement 'no waiting at any time' restrictions (double yellow lines) on Cedartree Gardens as set out on the plan at Appendix 1.

It is anticipated that the proposed introduction of waiting restrictions will improve access through this area for all road users, in particular local bus services.

1.5.3 Consultation

Ward members were updated on the proposal by email in March 2021.

Engagement on the scheme was carried out in July 2021, via an informal postal consultation with residents affected by the proposed restrictions. Feedback from this engagement exercise informed the final proposal.

1.5.4 Proposed next steps

Proposals that restrict traffic movements are subject to statutory legal process as described in section 2.2: this includes the Authority giving public notice of the proposals and taking such other steps as it may consider appropriate for ensuring adequate publicity. In North Tyneside, this includes notices advertising proposals being displayed on affected streets and on the Authority's website. This enables members of the public or businesses to object to the proposals and the proposed making of a TRO and/or varying of existing TROs. Any objectors are sent a response and invited to reconsider their objection. Any objections not withdrawn are referred to the Cabinet Member for Environment for consideration in accordance with the Mayor's Scheme of Delegation.

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 proposal will discourage indiscriminate and obstructive parking thereby improving access and road safety for all road users.

1.8 Appendices:

Appendix 1 Plan of scheme

Appendix 2 Equality Impact Assessment – Cedartree Gardens Waiting Restrictions



Cedartree Gardens
- Proposed waiting



EqIA-Cedartree
Gardens Waiting Re

1.9 Contact officers:

Nick Saunders, Senior Traffic Engineer, Capita, 0191 643 6598
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 (Parking Management) Local Transport Plan capital budget.

2.2 Legal

Proposals that involve revocations or amendments to existing TROs and any new such 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. Details are formally advertised, including a 21-day period for objections. Before making a TRO the Authority must consider all objections made and not withdrawn, and can decide whether to make the TRO unchanged, to make the TRO with modifications or not to proceed with making the TRO.

The Authority is required to publish at least one notice detailing the proposals to vary traffic movement and/or waiting and loading restrictions in a local newspaper in addition to taking such other steps as it deems appropriate for ensuring adequate publicity is provided. The Authority is also required to make documents relating to the proposal available for public inspection. In North Tyneside, in addition to being advertised in a local newspaper, notices advertising the proposal are displayed on the Authority's website and on roads affected by the order. Documents relating to the proposal are also available for public inspection at the Authority's offices at Quadrant. Objections to the proposal may be made within a period of 21 days starting from the date the notice was published.

In accordance with the Mayor's Scheme of Delegation, if any objections cannot be resolved, then the Cabinet Member for Environment is asked to consider any objections made and not withdrawn and to determine if a TRO should be made.

Within 14 days of the making of the proposed TRO varying the existing TRO in respect of the proposals set out in the report, the Authority must notify any objectors, publish a notice of making in a local newspaper and take such other steps as it deems appropriate for ensuring adequate publicity is given to the making of the TRO. In North Tyneside, in addition to being advertised in a local newspaper, notices of making are displayed on the Authority's website and on roads affected by the TRO. Documents relating to the order are also available for public inspection at the Authority's offices at Quadrant.

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 1.5.4.

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 parking restrictions at Cedartree Gardens has been undertaken and is attached as Appendix 2 to this report. This identifies positive potential impacts: these relate to improved accessibility for people who currently experience difficulty negotiating footways and crossing the road. Actions are specified to reduce the potential negative impact relating to access arrangements during construction work.

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 potential positive implications in that the proposals support the use of more sustainable modes of transport in preference to car use, by ensuring the local bus service can continue to run without being hindered by obstructive parking.

PART 3 - SIGN OFF

- Chief Finance Officer
- Monitoring Officer
- Assistant Chief Executive