

North Tyneside Council

Report to Cabinet Member for Environment

Date: 24 May 2022

Title: Traffic Regulation Order – Rear Moor Crest Terrace, North Shields

Portfolio(s): Environment	Cabinet Member(s): Councillor S Graham
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Report from Service Area: Regeneration and Economic Development

Responsible Officer: John Sparkes, Director of Regeneration and Economic Development (Tel: 0191 643 7295)

Wards affected: Preston

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment to introduce waiting restrictions (double yellow lines) within the lane to the rear of Moor Crest Terrace and at its junction with North Road, North Shields and to set aside two objections received to the proposal.

1.2 Recommendation(s):

It is recommended that the Cabinet Member for Environment:

- (1) considers the objections;
- (2) sets aside the objections in the interests of maintaining residents' right of access to properties in the back lane.
- (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 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

1.5 Information:

1.5.1 Background

The proposal, to introduce waiting restrictions within the lane to the rear of Moor Crest Terrace and at its junction with North Road, originated from a request from residents who reported that obstructive parking was restricting access to the back lane. Photographic evidence of this was also provided.

Parking surveys were consequently conducted at this location in accordance with the assessment process set out in the North Tyneside Parking Strategy, the results of which met the appropriate criteria for waiting restrictions. A proposal was subsequently developed to introduce a no waiting at any time restriction (double yellow lines) for the entirety of the back lane as shown on the plan in Appendix 3. Consideration was given to allowing one vehicle to park in the back lane, but this was discounted due to physical constraints and difficulties associated with ensuring the appropriate use of a designated parking space.

Affected residents were consulted about the proposed restrictions by letter. The proposal received support from those residents who had requested the restrictions, but a larger number raised concerns about the impact of the restrictions on residential amenity and the potential for displaced parking. A meeting was consequently arranged between council officers, ward councillors and a representative from Northumbria Police to discuss the matter. Following discussions, it was agreed that the proposal should be progressed in the interests of maintaining residents' right of access to their properties.

Letters were sent to residents informing them that the statutory consultation exercise associated with the proposal would be formally advertised in the near future. The statutory consultation was carried out in December 2021 and two formal objections to the proposal were received. One representation in support of the scheme was also received.

1.5.2 Statutory Consultation

Parking proposals are subject to statutory legal process. Schemes must be advertised in the local press and the local authority must also take 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 proposal. 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 Scheme of Delegation for Cabinet Members.

1.5.3 Summary of Objections

Local residents, **Mr and Ms M** submitted an objection to the scheme based on their view that any parked vehicles displaced from the back lane would reduce parking provision for residents at the front of the properties. They also stated that the restrictions were unnecessary and would prevent use of the back lane by servicing and delivery vehicles etc. They provided a number of alternative suggestions including the marking of parking bays at the front of Moor Crest Terrace.

An officer wrote to the objectors to clarify that the restrictions were proposed in order to maintain access within the lane following assessments and discussions with ward councillors and Northumbria Police. It was explained that vehicles can load and unload on double yellow lines to allow for deliveries. It was also explained that permit parking is being considered for Front Street and the parking area at the front of Moor Crest Terrace.

The objectors were advised of the officer's intention to refer the matter to the Cabinet Member for Environment for consideration and were invited to reconsider their objection. They responded to confirm that they still wished to object to the proposed restrictions.

Another local resident, **Mr M** submitted an objection to the scheme based on his view that there is a lack of parking provision in the area which is exacerbated by non-residential visitors to the pub and scout's hut. He also expressed concern about the impact of the restrictions on residents' ability to wash and charge vehicles in the back lane.

An officer wrote to the objector to clarify that the restrictions were proposed in order to maintain access within the lane following assessment and discussion with ward councillors and a representative from Northumbria Police. It was explained that vehicles can load and unload on double yellow lines and that a five-minute observation period prior to enforcement action could give residents the opportunity to move vehicles where necessary. It was also explained that permit parking is being considered for Front Street and the parking area at the front of Moor Crest Terrace.

The objector was advised of the officer's intention to refer the matter to the Cabinet Member for Environment for consideration and was invited to reconsider their objection. Mr M responded reiterating his concerns about the proposed restrictions and reaffirming his objection.

Full details of the objections and officers' responses are included at Appendix 1 of this report.

1.6 **Decision options:**

The following decision options are available for consideration by the Cabinet Member for Environment:

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 maintaining residents' right of access to properties in the back lane.

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

Nicholas Bryan, Highway Network Manager, 0191 643 6622

Nick Saunders, Senior Traffic Engineer, Capita, 0191 643 6598

Amar Hassan, Principal Accountant, Investment (Capital) and Revenue, 0191 643 5747

1.10 Background information:

(1) [North Tyneside Transport Strategy](#)

(2) [North Tyneside Parking Strategy](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Funding is available from the 2022/23 (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 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 any Order that is made may be cited as the North Tyneside (On Street Parking Places) (Consolidation) Order 2019 – Variation Order 2021

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 direct equalities or diversity issues arising from this report and none were raised during the statutory consultation process.

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
- Director of Service
- Mayor/Cabinet Member
- Chief Finance Officer
- Monitoring Officer
- Assistant Chief Executive

Details of Objection – Mr and Mrs M (Dated 17 December 2021)

Thank you for your correspondence dated 29/11/2021 relating to the above subject. I have reviewed your letter and would like to share comments, observations, and concerns about the proposed restrictions.

I would initially like to highlight that one of the notices about the change that was attached to the lamppost close to the entrance to the lane has been removed and not replaced for almost two weeks therefore the only notice posted is close to the rear of the Scout Hut which is not visible from where parking restrictions are planned from.

Point 1

As previously highlighted the map provided does not accurately reflect the current properties at the rear of Moor Crest Terrace. 10 North Road is not recorded in such a way that makes it clear it is a house. As the only access to 10 North Road is via the lane at the rear of Moor Crest Terrace, I believe it should be marked clearly on the map as any road markings will have a significant impact on the current and future occupants at this address.

[The objectors express their view that the proposed additional parking restrictions would limit access to the rear of properties on Moor Crest Terrace, Thornton House, Pennyfine Close and North Road.]

I note that my previous concerns regarding the significant impact double yellow lines would have on services/accessibility available to people living in the addresses including deliveries, window cleaning where vehicle access is required etc. have been addressed to say loading/unloading will be allowed. I would request further information on how this information will be communicated if double yellow lines are implemented?

Point 2

I have lived at [address] for approximately 17 months and have visited the address during the period my partner has lived at the address for almost six years. Neither of us have experienced issues with anyone parking at the rear of Moor Crest Terrace. If we have ever required access, there has been sufficient space for us whilst other vehicles have been parked.

Point 3

[The objectors discuss on-street parking and note their view that parking in the lane is rare and that there is sufficient space for vehicles to be considerately parked in the lane without impacting access to properties.]

Point 4

[The objectors note that when wheelie bins are present on the highway, anyone seeking vehicular access to premises has the option of moving the bins.]

Point 5

I believe that adding additional parking restrictions to rear of Moor Crest Terrace is disproportionate to the alleged parking issues. I still strongly believe that adding parking restrictions will however add pressure to already limited parking availability in the surrounding area. I believe more parking restrictions (in addition to recent double yellow lines added to North Road at the entrance to Pennyfine Close) will add pressure to parking problems at the front of

Moor Crest Terrace and on Preston Terrace as the car(s) that park at the rear will have to park at the front. This also has the potential to impact on the Preston Village community and those visiting premises such as the Scout Hall and The Sportsman Pub.

Point 6

I do not believe double yellow lines will 'rationalise' the parking situation. Rather than adding further parking restrictions would it not be more prudent to improve parking in the general area. For instance, could a marked bay(s) be added to the rear of Moor Crest Terrace alongside yellow lines? Could keep clear road marking be used rather than obstructing the whole lane? Could marked bays be added to the parking area at the front of Moor Crest Terrace and the Scout Hall to improve and assist people to park more considerately, therefore allowing more vehicles to park. It may also deter additional vehicles from parking between the Scout Hall/ 1&2 Moor Crest Terrace.

Further to this I would like to ask the council how they can justify the time and money on this proposal that could be resolved without official measures or such extreme road markings? Yet the council is not willing to spend money on road safety measures on the nearby Monkswood estate that would not only benefit hundreds of residents but potentially protect lives? I would suggest that it is clear case of not what you know but who you know and who shouts and bothers authorities the most. These excessive measures are being pushed through whilst parking on pavements and dangerous parking goes on in the vicinity. People don't want to complain though as the only approach the council seem to have is double yellow lines rather than marking proper parking bays or closing 'cut throughs' such as the car park at the front of Moor Crest Terrace that is used by drivers to avoid having to stop at the crossing.

Please can I request that receipt of this email is acknowledged. I would also like to request future updates on the proposals.

Officer Response (Dated 2 March 2022)

I am contacting you following your formal objection to the proposal to introduce waiting restrictions within the rear lane of Moor Crest Terrace (as shown on the attached plan). I would like to clarify the reasons why we are proposing the waiting restrictions and to address comments relevant to the proposal.

The proposal has been developed as a result of residents' concerns about restricted access and following site inspections and discussions with local ward councillors and Northumbria Police. It is expected that the proposed restrictions will discourage vehicles from parking in an obstructive manner at this location and will therefore help to maintain access within the rear lane at all times. It should be noted that loading and unloading can take place on double yellow lines and that the Council's Civil Enforcement Officers are required to employ a five-minute observation period prior to carrying out enforcement action. Colleagues in our Parking Control team should be able to assist with any further queries regarding the enforcement of parking restrictions. They can be contacted at: parkingcontrol@northtyneside.gov.uk

Officers can also confirm that Front Street and the parking area to the front of Moor Crest Terrace are being assessed for permit parking restrictions. If such a scheme were to be implemented, we will consider the use of marked bays and will ensure that parking provision is prioritised for residents. We are also due to assess the parking situation at the entrance to the Monkswood estate in the near future. If deemed necessary, parking restrictions may also be proposed at this location.

I would also like to let you know that upon receipt of your objection, your comments were noted and the missing notice was immediately replaced for the remainder of the statutory consultation

period. Please note that notices advertising the proposal were also displayed in the local press and on North Tyneside Council's website.

Your objection will be included in a report to be presented to the Cabinet Member for Environment for consideration in the near future. You will be notified of the Cabinet Member's decision with regard to this scheme in due course. In the event that you wish to withdraw your objection based on the information above, I would be grateful if you could let me know at the earliest opportunity.

If you have any further questions, please do not hesitate to contact me.

Response from Mr and Mrs M (Dated 12th March 2022)

Thank you for your email. I appreciate you taking the time to address our concerns. However, we would still like our objections considered in the report to the cabinet member.

Details of Objection – Mr M (Dated 9 December 2021)

I wish to object against the proposal to install double yellow lines at the rear lane of Moor Crest Terrace.

I have lived here for many years I have never experienced any parking issues at the rear. The problem is at the front with pub customers and people using the Scouts building. These people park at the front which leaves no parking for residents.

This problem was exasperated by the double yellow lines appearing on the main road going down towards the swimming baths next to the Scouts Hall earlier this year with no consultation they just appeared. *[The objector questions why the double yellow lines were introduced.]* There is no need for double yellow lines what will happen when we need to charge electric cars in the future.

I do feel there is some unfairness with tainted connection to the council pushing this through as the property owners and neighbours are all against this and are being ignored.

It is not normal to double yellow line back lanes at all, can this not be changed to no parking with a set time limit to park as I use the lane to park and wash my car sometimes.

Officer Response (Dated 2 March 2022)

I am contacting you following your formal objection to the proposal to introduce waiting restrictions within the rear lane of Moor Crest Terrace (as shown on the attached plan). I would like to clarify the reasons why we are proposing the waiting restrictions.

The proposal has been developed as a result of residents' concerns about restricted access and following site inspections and discussions with local ward councillors and Northumbria Police. It is expected that the proposed restrictions will discourage vehicles from parking in an obstructive manner at this location and will therefore help to maintain access within the rear lane at all times. It should be noted that loading and unloading can take place on double yellow lines and that the Council's Civil Enforcement Officers are required to employ a five-minute observation period prior to carrying out enforcement action. This should give any resident washing their car the opportunity to move it out of the back lane.

Officers can confirm that Front Street and the parking area to the front of Moor Crest Terrace are being assessed for permit parking restrictions. If such a scheme is implemented, we will consider the use of marked bays and will ensure that parking provision is prioritised for residents. In regard to the recent implementation of waiting restrictions at the junction of North

Road and Pennyfine Close, properties directly affected by the proposal were involved in an informal consultation exercise. This was followed by a statutory consultation which involved public notices being advertised on site, in the local press and on North Tyneside Council's website.

Your objection will be included in a report to be presented to the Cabinet Member for Environment for consideration in the near future. You will be notified of the Cabinet Member's decision with regard to this scheme in due course. In the event that you wish to withdraw your objection based on the information above, I would be grateful if you could let me know at the earliest opportunity.

If you have any further questions, please do not hesitate to contact me.

Response from Mr M (Dated 2 March 2022)

Thank you for the reply.

The local councillors and police are not residents of this area and have no understanding of the rear lane use.

You have not provided details of how many local neighbours have actually complained about any parking issue I am concerned that the majority are not being listened to.

There are no parking issues at the rear lane.

The issue only became a problem when the local planning department granted permission to the rear lane bungalow.

I do not know what planning conditions for parking were allowed.

No one parks at the rear lane it is the Pub customers and the youth club in the lane that park erratically from 7pm ish which is the issue know.

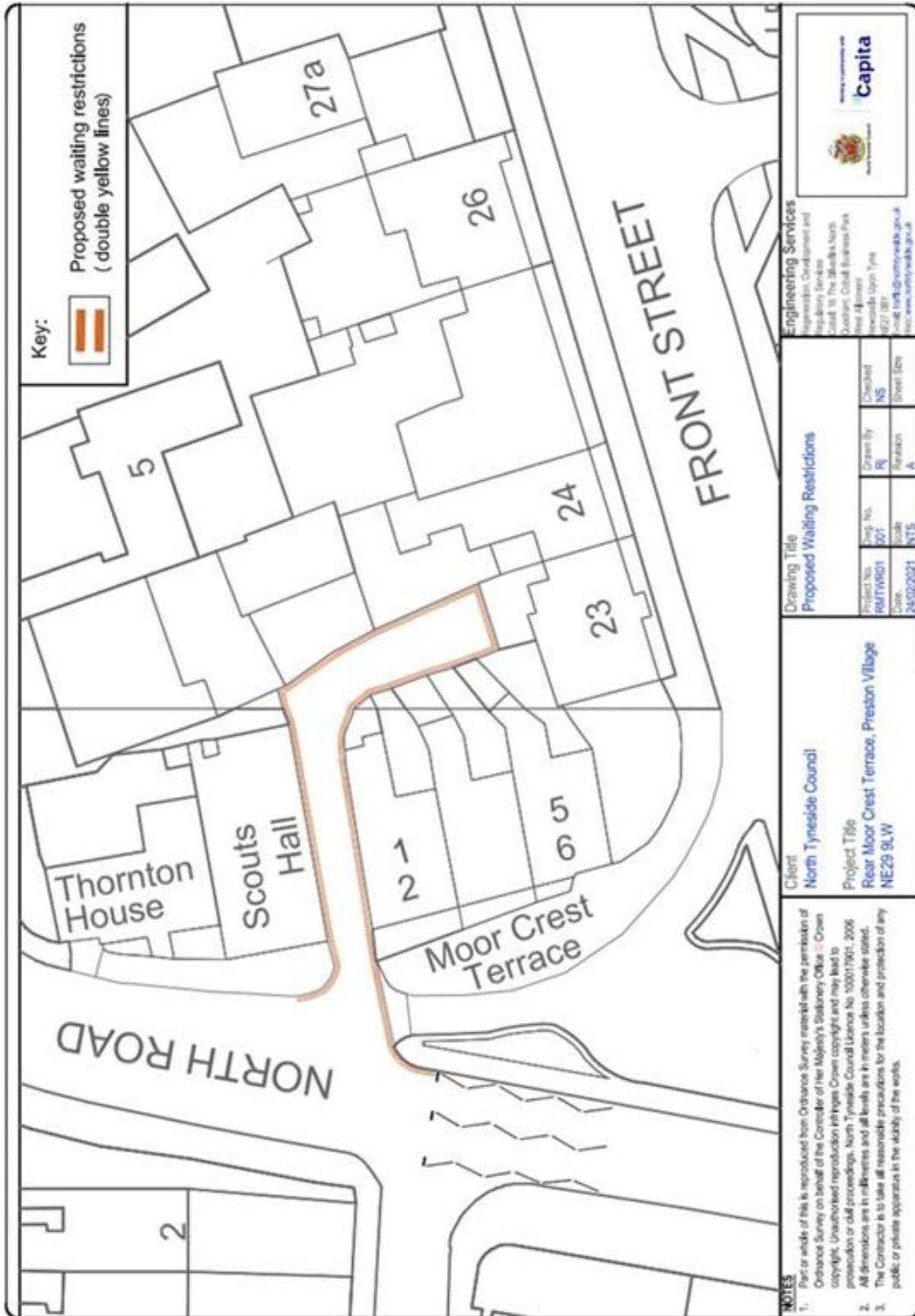
[The objector states his view that the proposal relates to a quiet back lane and that it is not in his view an appropriate use of public funds.]

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

North Tyneside Council gives notice that it proposes to make Variation Orders under Sections 1, 2, 32, 35, 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 Rear Moor Crest Terrace, North Shields on both sides for its entirety.

Further details of the proposals may be examined in the documents available on the Council's website. 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 24 December 2021. Any objections may be published as part of any reports to councillors on the matter.

3 December 2021
Head of Law & Governance
Quadrant, Silverlink North, Cobalt Business Park, NE27 0BY



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- The Contractor is 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: Rear Moor Crest Terrace, Preston Village NE29 9LW

Project No.	Drawn By	Checked
RMT/WR01	RJ	NS
Date:	Scale	Sheet Size
24/02/2021	N15	A

Drawing Title: Proposed Waiting Restrictions

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