

North Tyneside Council

Report to Cabinet Member for Environment

Date: 24 May 2022

Title: Traffic Regulation Order – Ballast Hill Road, 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: Riverside

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment to introduce permit parking restrictions on Ballast Hill 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 supporting access to parking for residents and reducing obstructive parking.
- (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 permit parking restrictions at the recently constructed housing development on Ballast Hill Road, originated from a request from residents who reported that visitors to the area were using parking provision designed for residents and also causing an obstruction in the turning area at the eastern end of the road.

Evidence provided by residents and site observations by officers from the Authority's Traffic and Road Safety team confirmed that non-residential and obstructive parking was taking place. Following discussions with the developer, it was agreed that a proposal to introduce full time permit parking restrictions should be introduced as shown on the plan in Appendix 3. It was agreed that the developer would meet all costs associated with the implementation of such a scheme should it be introduced.

All residents on the street were consulted about the proposed restrictions by letter. The proposal received support from 53% of consultees and was consequently brought forward to the statutory consultation stage.

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. Three representations in support of the scheme were 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 resident, **Mr D** submitted an objection to the scheme based on his view that the level of non-residential parking on Ballast Hill Road was low, therefore parking restrictions were not required and were in his view a waste of money. The objector suggested alternative options including double yellow lines and improved signage.

An officer wrote to the objector to clarify that the restrictions were proposed as a result of issues raised by residents and ward councillors, and that the proposal had received support from the majority of residents in Ballast Hill Road. It was confirmed that the cost of installing any restrictions would be funded by the developer, and that the proposal would also involve "no through road" signage being installed at the top of the bank.

Officers also advised the objector that his request for double yellow lines to be introduced further up Ballast Hill Road would be assessed in the next financial year.

The objector was advised that the matter would be referred to the Cabinet Member for Environment for consideration and was invited to reconsider his objection. No further correspondence was received.

Another local resident, **Ms H** submitted an objection to the scheme based on her view that the level of non-residential parking on Ballast Hill Road was low, therefore parking restrictions were not required. The objector raised concerns regarding the initial consultation process, querying its validity based on the response rate in particular. They also felt that parking fines could be issued unfairly if a scheme were to be introduced. They provided the example of residents being unable to access private parking areas (owing to the automatic barrier being broken) and consequently being forced to park within the permit parking zone without permits.

An officer wrote to the objector to clarify that the restrictions were proposed to address parking issues raised by residents and ward councillors and that the proposal had received support from the majority of residents in Ballast Hill Road. It was explained that it was assumed that any residents who did not respond to the consultation did not support it. This ensured that the scheme was not taken forward without sufficient support from residents. It was also pointed out that an appeals process exists for situations where members of the public believe that penalty charge notices have been issued unfairly.

The objector was advised that the matter would be referred to the Cabinet Member for Environment for consideration and was invited to reconsider their objection. No further correspondence was received.

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 supporting access to parking for residents and reducing obstructive parking.

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

Details of Objection – Mr D (Dated 23 December 2021)

My family and I are residents on Ballast Hill Road, North Shields and the street have been given notice that there are proposals to implement a permit parking scheme on the road. Please accept this email as our formal objection to the scheme.

The reason given for the implementation of the scheme is so that residents and visitors can have priority over parking spaces but there has never been an issue or a time when either myself or my family, and our visitors have ever struggled to park close to our home and on most days, and at most times, the visitors bays remain empty or are occupied by residents cars or their family members.

We feel that the implementation of a permit parking scheme will be a unnecessary waste of residents money and council resource.

Properties 1-16 on Ballast Hill Road (the apartments) all benefit from a private off road car park with secure barrier access and benefit from 2 private parking spaces per property. At the most busiest of times (evenings and first thing on a morning when you'd expect properties to be occupied), the car park is never more than 50% capacity. Furthermore, the visitors bays further along the road have space available at peak times.

Are you able to share with me what evidence you have, or information that you've used in order to conclude that a permit parking scheme should be a requirement? I'm struggling to understand how or why this decision has been reached and on what basis. It would be extremely helpful if you were able to share this with myself and the residents.

If anything, at times, there can be issues with traffic on Ballast Hill Road. As its a no through road, lost drivers often venture down the road and are unaware there is no access to the adjacent marina or Royal Quays and can make turns in the road and in some cases this can restrict access to properties. But a permit parking scheme wont address this.

In warmer months, there can also be an issue with cars parked on the blind bend further up the bank away from the houses where drivers park to go fishing or walking around the marina and it can make it difficult to pass. Again, a permit parking scheme wont address this and there is never a parking issue in front of our homes.

In my opinion, there is a lack of signage further up the bank at the junction with Prince Consort Road and in both directions. if there were clear signs at both the approach to the left turn towards the fish quay, and also at the junction at the top of the bank, then drivers wouldn't make the unnecessary trip down the bank and onto the no through road. The extension of the no stopping double yellows that run along Prince Consort Road may also be a benefit on the bank and all the way along Ballast Hill Rd. But not permit parking, that would never solve a traffic issue.

I look forward to a response, in particular around the evidence of information that you've used to base your decision and would be open to dialogue with somebody from NTC to look at alternative options.

Officer Response (Dated 9 March 2022)

I am contacting you following your formal objection to the proposal to introduce permit parking restrictions on Ballast Hill Road, North Shields (as shown on the attached plan). I would like to clarify the reasons why we are proposing the parking restrictions.

The proposal has been developed as a result of residents' concerns about levels of non-residential parking associated with visitors to Royal Quays Marina. The consultation with residents was undertaken following site inspections and discussions with local ward councillors. Officers are aware that there is not a parking issue all the time, however other residents have raised concerns and following our consultation with Ballast Hill Road, the majority of their neighbours agree. It is expected that the proposed restrictions will prioritise parking for residents.

It should also be noted that the developer of this area has agreed to fund the implementation of any parking restrictions.

In addition to this proposal, officers can confirm that consideration is being given to your comments regarding double yellow lines, with assessment expected to commence at the start of the new financial year. Officers are also arranging for 'no through road' signs to be installed in the near future at the junction of Ballast Hill Road and Prince Consort Road.

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.

Details of Objection – Ms H (Dated 10 December 2021)

I Would like to submit an Objection to Permit Parking Planned in Ballast Hill Road

There is No flow of traffic running thru Ballast Hill Road. It is a Very Extremely Quiet Road. There is plenty of Visiting Parking Bays that are not used by either residents or visitors.

There are only 34 properties on this road. 16 of them are Apartments. I believe some of the owners who let out their property will have not seen the proposed scheme and their tenants if they have one will not have voted for it or against as it's not there property. So, if you haven't received a vote from the owners of these properties, I feel this is not a correct voting poll. For the 16 residents in the Apartment Block. We have parking bays that are protected by a key pad barrier. This barrier has on a couple of occasions been out of order. I have informed our Management Company that no residents yesterday and today (8th and 9th December) can't get into there parking bays. So anyone living in the 16 Apartments are having to park in VP Bays or along the road. This has happened on a few occasions. If there is to be parking restrictions and fines, then all 16 residents would be fined. At no ones fault. But at present, this is not a problem for anyone in the whole of Ballast Hill Road because as I've already said there isn't a problem with parking traffic from non residents and so there is still more than enough space for all residents to park until this barrier is fixed.

I would like to invite a Council member from your planning department to come out and visit this quiet residential road and show me why they believe they need to spend money on a problem that doesn't exist.

Look forward to arranging a visit with you at anytime too see there are no problems with parking.

Ms H Further Correspondence (Dated 10 December 2021)

Responding my thoughts before 24th December deadline.

There are only 34 properties in Ballast Hill Road. 16 of them are Apartments. Some owners of these apartments aren't living in the property. Many have tenants and the tenants have not responded as it's not their property and have no real investment in their living surroundings. So to take a vote on a small residential estate seems unfair as many of the owners of those 16 properties have not even seen any posts about the proposed project and know nothing about this ridiculous proposal.

Where can we find what is proposed from North Tyneside Council for this small VERY QUIET Road. My concern is, is there going to be marked yellow lines all along the road. The inconvenience these permits are going to cause when we have our families calling around or when we have work being carried out by tradesmen when you're on the [number] floor. Who do I choose to give my 2 permits too from my five children? What happens when the tradesmen drives off with your permit and one of your children wishes to call around later in the day. I have lived here for over 2 years. I have never experienced any problems getting parked in the Visitor Bays provided. There is very little flow of traffic from non residents driving into Ballast Hill Road. A few residents must have requested permits But this is an extremely quiet cul de sac and feel rather complexed as to why the Council have taken to respond to a small majority. I believe that the majority of residence especially from the Apartments didn't look at the application and therefore I don't think it should go ahead without a much bigger percentage from All 34 owners and not just the ones who did initially vote.

I look forward too your response.

Officer Response (Dated 9 March 2022)

I am contacting you following your formal objection to the proposal to introduce permit parking restrictions on Ballast Hill Road, North Shields (as shown on the attached plan). I would like to clarify the reasons why we are proposing the parking restrictions.

The proposal has been developed as a result of residents' concerns about levels of non-residential parking associated with visitors to Royal Quays Marina. The consultation with residents was undertaken following site inspections and discussions with local ward councillors. It should be noted that any properties that did not respond to the consultation were assumed to vote against the proposed restrictions, therefore officers can confidently confirm that over 50% of residents were in support of parking restrictions. It is expected that the proposed restrictions will prioritise parking for residents.

It should be noted that all properties on Ballast Hill Road will be eligible to apply for parking permits, in addition to additional tradesmen/visitor vouchers, to allow both residents and visitors to park within the scheme. An appeal process is available when residents feel a Penalty Charge Notice has been issued unfairly, for example in the event the car park barrier is out of order.

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.

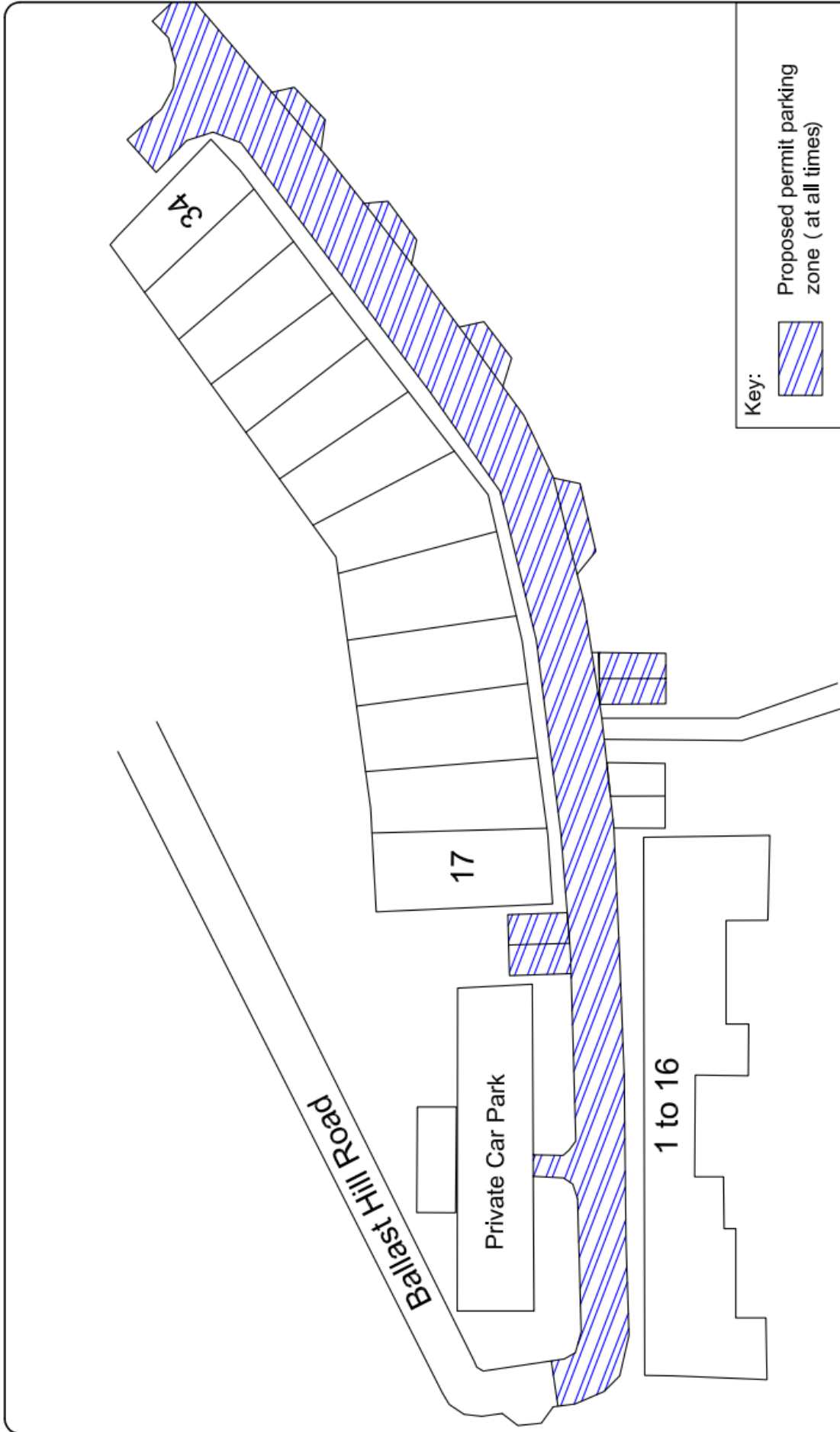
If you have any further questions, please do not hesitate to contact me.


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 (On Street Parking Places) (Consolidation) Order 2019 so that Permit holder parking places to be operational at all times on all days be introduced on Ballast Hill Road, North Shields, from a point 150 metres south, then 207 metres west of its junction with Prince Consort Way in a southerly then north-easterly direction for its entirety and No.s 1-34 Ballast Hill Road be eligible for the issue of permits.

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



Key:  Proposed permit parking zone (at all times)

NOTES

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- All dimensions are in millimetres and all levels are in meters unless otherwise stated.
- 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 Ballast Hill Road, North Shields NE29 6UY		Drawing Title Proposed Permit Parking Zone		Engineering Services Regeneration, Development and Regulatory Services Cobalt 10 The Sheriff North Quadrant, Cobalt Business Park West Alkington Newcastle Upon Tyne NE27 0BY E-mail: traffic@northtyneside.gov.uk Web: www.northtyneside.gov.uk	
Project No.	Dwg. No.	Drawn By	Checked	Sheet Size	
BHRPP01	001	RJ	NS		
Date:	Scale	Revision			
15/03/2021	NTS	B			

