

North Tyneside Council

Report to Cabinet Member for Environment and Transport

Date: 05 July 2019

**Traffic Regulation
Order – Algernon
Terrace, North Shields**

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: Tynemouth

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce 'No waiting at any time' restrictions on Algernon Terrace at its junctions with Edith Street and its associated back lanes and to 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 improving access to Algernon Terrace, Edith Street and its associated back lanes; 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 the 2018-20 Our North Tyneside Plan:

- Our places will:
 - have an effective transport and physical infrastructure

1.5 Information:

1.5.1 Background

The proposal to introduce waiting restrictions was developed following a request from the Authority's refuse collection teams who reported that they were experiencing difficulties negotiating the junctions in this area when carrying out their collections as a result of inappropriately parked vehicles. It was also supported by ward councillors.

It is envisaged that the introduction of restrictions on Algernon Terrace and Edith Street will ensure that the junctions in this area are kept clear of parked vehicles allowing the refuse collection vehicles to carry out their collections safely and efficiently.

Following discussions with colleagues in the refuse collection teams, the original proposal was amended to reduce the length of the proposed lines slightly in order to address a local resident's concerns about the loss of on-street parking capacity.

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

One objection was received in response to the statutory Notice of Intention. A summary of the 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 Objections

The proprietor of a local business submitted an objection to the scheme based on her view that the proposed restrictions would have a detrimental effect on businesses in this area by reducing parking provision for customers.

An officer wrote to the objector to clarify that the proposed yellow lines had been kept to the minimum length required to keep the junctions clear and that the restrictions were necessary to allow the refuse collection teams to carry out their collections safely and efficiently.

The objector was invited to reconsider her objection in light of this information by responding to officers in writing by 21 April 2019. No 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 as the proposal will help to improve access to Algernon Terrace, Edith Street and its associated back lanes.

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

Cathy Davison, Principal Accountant Investment (Capital) and Revenue, 0191 643 5727

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 2019/20 (Parking Management) Local Transport Plan capital budget.

2.2 Legal

Parking proposals that involve revocations or amendments to existing parking orders and any new parking restrictions 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 Council (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 Variation Order 2019.

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 C (Dated 7th March 2019)

Opposing the double yellow lines on unnamed street next to Edith Street.

This will be detrimental to the 4 businesses on Livingstone view, customers/clientele will have nowhere to park through the day, residents also live above and since the double yellow lines next to and near NORTHUMBERLAND park ne30, there is leaving nowhere and this will have a knock on effect to the small businesses here already trying to survive.

Officer Response (Dated 4th April 2019)

Dear Sir / Madam,

I am emailing following your formal objection to the proposal to install waiting restrictions at the junctions of Algernon Terrace with Edith Street and its back lanes (as shown on the attached plan). I would like to clarify the extents of the proposal and the reasons why we are proposing to introduce restrictions.

The proposal to introduce double yellow lines at these junctions has been developed to improve access for our refuse collection teams who are experiencing difficulties negotiating these junctions whilst carrying out their collections.

We have ensured that the length of these restrictions has been kept to a minimum to mitigate any impact on parking capacity whilst ensuring that refuse collection vehicles can successfully negotiate the junctions.

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 21st April. 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 with regard to this scheme in due course.

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

Officer Further Response (Dated 11th April 2019)

Dear Sir / Madam,

In regard to my previous email below, I would like to clarify that the proposal to introduce waiting restrictions (double yellow lines) on the junctions of Edith Street, Algernon Terrace and the associated back lanes has been amended from the original plan sent in the informal consultation to yourself. It has minimised the restrictions as much as possible while remaining effective, restricting parking only on the junctions where it would be inappropriate to leave a vehicle parked.

Other objections to the scheme have been withdrawn in light of this amendment and I hope you will also feel this is an appropriate measure to reconsider your objection.

NORTH TYNESIDE COUNCIL
(Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 and (On Street Parking Places) (Consolidation) Order 2017 Variation Orders 2019

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:

1. the North Tyneside (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 so that:-
 - a) No waiting at any time restrictions (double yellow lines) be introduced on:-
 - i) the unnamed road to the rear of Edith Street (West side), North Shields on both sides, from its southern junction with Algernon Terrace to a point 5 metres north of that junction.
 - ii) the unnamed road to the rear of Edith Street (East side), North Shields on its west side, from its junction with Algernon Terrace to a point 6 metres north of that junction.
 - iii) Algernon Terrace, North Shields on its north side, from a point 6 metres west of its southern junction with the Unnamed road to the rear of Edith Street (West side) to a point 6 metres east of that junction, from a point 4 metres west of its southern junction with Edith Street to a point 4 metres east of that junction and from its junction with the Unnamed road to the rear of Edith Street (East side) to a point 4 metres west of that junction.
 - iv) Edith Street, North Shields on both sides, from its southern junction with Algernon Terrace to a point 3 metres north of that junction.

Further details of the proposals, may be examined at the address below between 8.30am and 4.00pm on Mondays to Fridays. 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 8 March 2019. Any objections received will be placed in the working file and can be viewed by the public if requested.

14 February 2019
Head of Law & Governance
Quadrant, Silverlink North, Cobalt Business Park, NE27 0BY

