

**North Tyneside Council
Report to Cabinet Member
for Environment and Transport
Date: 05 July 2019**

**Traffic Regulation
Order – Drummond
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 a 'No waiting at any time' restriction at the junction of Drummond Terrace and Brock Farm Court and 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 visibility at the junction of Brock Farm Court and Drummond Terrace thereby improving road safety; 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 a local resident concerned about vehicles parked at the junction restricting visibility for any vehicles attempting to exit Brock Farm Court onto Drummond Terrace. It was also supported by ward councillors.

It is envisaged that the introduction of restrictions will ensure that visibility at the junction is enhanced thereby improving the safety of road users.

In accordance with the statutory process, a Notice of Intention for the 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 that 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 Objection

Mr and Mrs S, local residents, submitted an objection to the scheme based on their view that the proposed restriction would have an adverse effect on residents and their visitors as a result of a reduction in parking provision in front of their property.

An officer wrote to the objectors to clarify that the yellow lines proposed were to be kept to the minimum length required to achieve the desired effect of maintaining visibility at the junction. Further correspondence resulted in the officer attending a site meeting with the residents and the then ward councillor Ms Karen Bolger. This resulted in an amendment to the proposal to accommodate further on-street parking; however the objectors later confirmed that they were still not willing to withdraw the objection despite this amendment.

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 visibility at the junction of Brock Farm Court and Drummond Terrace thereby improving road safety.

1.8 Appendices:

Appendix 1 Details of objection 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 X
- Head of Service X
- Mayor/Cabinet Member X
- Chief Finance Officer X
- Monitoring Officer X
- Head of Corporate Strategy and Customer Services X

Details of Objection – Mr and Mrs S (dated 14 February 2019)

I would like to object to the proposal for double yellow lines to be put outside my house on Drummond terrace, north shields.

I have lived in this house for 9 years with no issues before and until a couple of years ago there was a very large tree and shrubbery in the corner of my garden which would have blocked more visibility than any car and yet no one had an issue.

The proposal looks to run the boundary of my house which takes away parking to the front where i park my car. I have off road parking for 1 car available but we have 3 cars in our household and this will lead to taking valuable parking off someone else. We have an overspill already from Trevor terrace, military road, the bottom of Drummond terrace and people parking for north shields. I can see no good reason for this to happen.

Looking at the 4 other junction on my small street i notice you have no intention of putting double yellow lines on any of them therefore singling my house out for unknown reasons. I also believe the junction outside my house is wider than the other junctions in the street with more visibility and there is plenty of visibility when coming out of Brock farm when going an appropriate speed for a junction.

North Tyneside council have allocated parking up to the very corner of 3 of the other junctions which seems not to tally with your reasoning of visibility restrictions on a junction which you outlay in your proposal. Within our small block of streets there are a further 6 junctions, none of which have yellow lines or parking restrictions.

I have this spring/summer been getting building work done to my house with the builder parking at the side when bringing tools etc in and it appears an old woman within Brock farm whom i believe does not drive, has taken exception to this for unknown reasons and has been getting very aggressive and harassing to my family, especially my future daughter in law when she has her toddler and young child with her. Both become upset when this woman shouts at their mam. As soon as i work out where she lives i will be making a complaint to the police. I can only assume its this woman who has complained about the junction and i believe it is not because of the junction itself, but rather to harrass my family again.

My other concern is the speed at which the drivers will come around the corner as they already drive too fast down the road and also around our corner, which i have complained at before with no interest from the council.

If you still intend on putting double yellow lines outside my house then i would very much like a meeting here to discuss the options and to look with yourselves at the other junctions, all of which have no yellow lines. I do not believe this to be an unreasonable request.

I would be most grateful if you could acknowledge receipt of this email.

Officer Response (dated 21 March) – following site meeting held on 19th March

Mr S,

Please find attached an amended proposal, developed from the discussions on Tuesday. As a compromise, I have changed the restrictions to begin 6 metres from the start of the drop kerb at the side of your property, and adjusted the give way lines on the junction accordingly.

I am aware the lamp column is not in an ideal place and you will be forced to park fully on the road, however I feel this is the ideal placement of the yellow lines, and to allow parking from the lamp column would place your vehicle in an inappropriate position on the junction.

If you would like to withdraw your objection as a result of these changes above I would be grateful if you could let me know in writing by 29th March. 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.

Response – Mr and Mrs S (dated 21 March 2019)

Hi, I'd like to thank you for meeting with myself and my husband and thank you for considering the changes to the plans.

We have been talking the yellow lines situation over and actually we are still not happy with losing our space at the front of our house. Putting double yellow lines on our junction will mean we are the only house within a 1 mile radius with yellow lines outside on side streets and limiting our parking. As you are aware we have pointed out that the council have parking spaces in 4 of the junctions on our street within 100 metres from my junction and on narrower junctions to ours. As Councillor Karen Bolger and yourself seen the central lines leading to the junction have been put in wrong and actually curve towards our house, if this was straightened then visibility would be even greater from our wider than average junction than it already is and therefore I can see no reason to remove any parking at the front of our house. Where we park our car at the front of our house is no different to any of the roads in North Shields/Tynemouth where no restrictions apply.

We would like to point out that observations around North Shields have led us to discover more junctions with parking outlined by the council which are on the junction and narrower junctions than our and also leading on to main roads which our junction does not.

I am actually astounded that this is being contemplated because of 1 resident complaining as outlined in MP Alan Campbell's letter to myself when he replied to my letter of help. If this goes ahead then the complaint of 1 resident from another street will impact on myself and the residents on our street.

With all this in mind we are going to collect evidence from our street and the surrounding streets of North Shields at the weekend and include it with a new letter of objection which I would be grateful if you could include with your most recent proposals.

Further correspondence - Mr and Mrs S (dated 28 March 2019)

I would like to uphold my objection to the original proposed plan and I would like you to submit your plan with the compromise in it to the department with this letter of objection. I have been in touch with the council complaints department, reference number:102740791

In our meeting that we had along with my husband and councillor Karen Bolger, my husband and I pointed out that our junction was wider by a third and had a centre line that was not straight, both of which yourself and Karen agreed with. As discussed if this line was straightened it would give even more visibility at the junction. I asked if you could leave a space at the top of the garden that we could park at as it was discussed that the yellow lines were going to be put at the junction no matter what was said. You said that you couldn't do that as it

contravened the highway code. We pointed out that not 50 yards away on our street the council had put marked parking on the 3 junctions for the residents with permit only parking for those residents. You did not have a reply when asked why the highway code applied to our junction and not the narrower ones on the street. As I have looked around a 1 mile radius I have noticed that the council have put marked parking on lots of other junctions up to the corner of those junctions.

We pointed out that the resident who made the complaint did so when we were having work done to the back of our house, she was aggressive to myself and my future daughter in law recently and kept mentioning the vans. As we pointed out the work has since stopped. The workmen always parked legally and tucked in as much as possible but she took umbrage anyway.

We have an over-spill of cars from surrounding streets and in the next street to ours we have 3 care homes, a CIU, a children's soft play and a school. We get all the traffic and parking from those because of the permit only parking and when the other surrounding streets are full, not to mention the parking for north shields centre and people can park for free in our street.

We have lived in our house for 10 years, moved into this house because of the fact there were no parking issues unlike our previous street, and would be loathe to move again. We feel that if the highway code applies to our junction, then it should apply to all junctions. I cannot understand how 1 person who lives in a different street is able to have double yellow lines put outside some else's house even though I have previously asked for speed measures to be put in place and have been told there is not the volume of traffic for anything to be considered.

The width of our junction and the speed they come in and out of our junction contradicts what the resident is saying.

My husband and I feel we are not being listened to properly. I have been told that the yellow lines will go ahead anyway no matter what we say. I do not want any double yellow lines outside my house. At the very least I would like a compromise that leaves a parking space at the top of our garden for our vehicle and at the side where you have stated that we can park and I can see no good reason this cannot be accommodated. The resident was complaining about workmens vans that were parked when doing some work at the back of my property last year and even though this has since ceased, her concern was parking on the corner, not at the top or side and this is not where I am asking to be able to park. The width of our junction would allow this to be feasible. This issue is having a detrimental effect on my health and I would like this resolved as soon as possible with give and take on all sides if need be.

I would appreciate a return email to let me know you have received this.

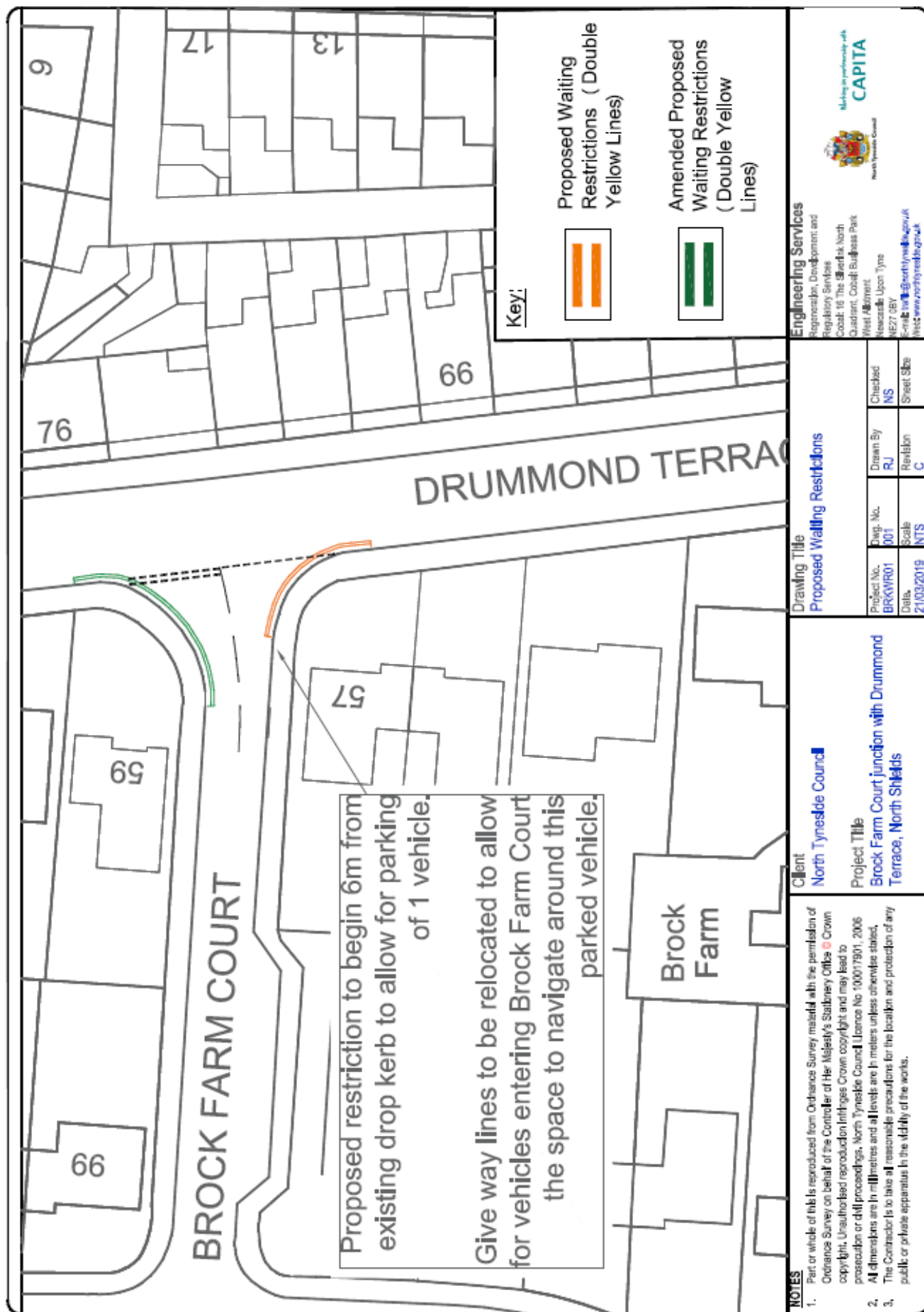
NORTH TYNESIDE COUNCIL
(Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 and (On Street Parking Places) (Consolidation) Order 2017 Variation Orders 2019

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 linking Brock Farm Court and Drummond Terrace, North Shields on both sides, from its junction with Drummond Terrace to a point 13 metres west of that junction.
 - ii) Drummond Terrace, North Shields on its west side, from a point 13 metres north of its junction with the unnamed road linking Brock Farm Court and Drummond Terrace to a point 9 metres south 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



Engineering Services
 Regulation, Development and
 Regulatory Services
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Drawing Title Proposed Waiting Restrictions		Checked NS	Sheet Size
Project No. BRKVR01	Dwg. No. 001	Drawn By RJ	Revision C
Date 21/03/2019	Scale NTS		

Client
 North Tyneside Council

Project Title
 Brock Farm Court junction with Drummond
 Terrace, North Shields

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