

# North Tyneside Council Report to Cabinet Date: 12 March 2012

**ITEM 7(a)(i)**  
Title: Traffic Regulation  
Order (Proposed Parking  
Restrictions in Station  
Road, Benton)

**Portfolio(s):** Transport and the Green  
Environment

**Cabinet Member(s):** Cllr E Hodson

**Report from Directorate:** Chief Executive's Office

**Report Author:** Ken Wilson, Head of Regeneration, (Tel: 0191 643 6091)  
Development and Regulatory Services

**Wards affected:** Benton

## **PART 1**

### **1.1 Purpose:**

The purpose of this report is to inform Cabinet of three objections received to the proposal to introduce parking restrictions on and around Station Road, Benton, and request that Cabinet confirm the relevant Traffic Regulation Order.

### **1.2 Recommendation(s):**

It is recommended that Cabinet:

- i. Consider the objections received;
- ii. Set aside the objections in the interests of improved parking management for residents and businesses in the area; and
- iii. Confirm the Traffic Regulation Order as drafted.

### **1.3 Forward Plan:**

This report appears on the Forward Plan for the period 1 February to 31 May 2012.

### **1.4 Council Plan and Policy Framework**

This report relates to the following themes/programmes/projects in the Council Strategic Plan 2011-2015:

Priority 4: Our Environment

Theme 4.4: Working with partners to keep North Tyneside safe

## **1.5 Information:**

### **1.5.1 Background**

In response to complaints from residents and Benton ward Members about vehicles parking on Station Road as well as its junctions with Northumberland Avenue and Clifton Terrace, thereby causing an obstruction to other road users and pedestrians, officers undertook site surveys in which vehicles were observed parking up to and around the junction of Station Road, Northumberland Avenue and Clifton Terrace as well causing obstructions on Station Road. This parking restricted sight lines when exiting the junction and impeded the free flow of traffic and pedestrians.

In consequence, in November 2010 a statutory Notice of Intention was issued to introduce a no waiting restriction (double yellow lines) on the east side of Station Road from the Percy Hedley Centre as far as Clifton Terrace, including its junction with Northumberland Avenue.

Three objections were received in response to the statutory Notice of Intention: a summary of these objections is provided in section 1.5.3 and the full text of the objections is reproduced in Appendix 1. Bearing in mind the issues raised in the objections, officers took the decision to carry out further extensive parking surveys to determine the details of parking on site and in view of the outcomes of these parking surveys the original proposals were felt to be effective.

### **1.5.2 Statutory Consultation**

Parking proposals are subject to statutory legal process under the Road Traffic Regulation Act 1984 and associated regulations. Schemes must be advertised on site and in the local press. This enables members of the public 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 Cabinet for its consideration.

### **1.5.3 Summary of Objections**

#### **Mr H**

Although the objector accepted that the current parking situation did create a safety hazard, he suggested that the main problem was with parking by Post Office workers, and requested further restrictions to the west side of Station Road with a resident's exemption.

In correspondence, the Council officer explained that the proposal was necessary as the current situation was creating a safety issue towards pedestrians and road users. The officer also explained that it was Council policy to monitor every area following the introduction of new restrictions to determine whether a displacement had occurred and if so, whether additional restrictions or changes to restrictions were required.

#### **Mr P**

Although the objector accepted that the current parking situation did create a safety hazard, he cited the potential displacement of parking into other residential areas and requested the introduction of a time change to the permit restrictions in Northumberland Avenue.

The Council officer explained that it was the Council's intention to monitor every area following the introduction of new restrictions to determine whether a displacement had occurred and if so, whether additional restrictions or changes to restrictions were required.

### **Mrs P**

The objector accepted that the current parking situation did create a safety hazard, but requested permit parking in place of a No Waiting Restriction (double yellow lines).

In correspondence, the Council officer explained that the proposal was necessary as the current situation was creating a safety issue towards pedestrians and road users.

### **1.6 Decision options:**

Cabinet may:

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 proposals are intended to aid traffic and pedestrian movements and improve road safety.

### **1.8 Appendices:**

Appendix 1 Letters of objection and associated correspondence

Appendix 2 Legal notice of intention as published in local press

Appendix 3 Plan of scheme will be displayed in each group room and will be available for inspection at the Cabinet meeting.

### **1.9 Contact officers:**

Derek Smith, Senior Manager, (0191) 643 6106

Kevin Ridpath, Network and Transportation Manager (0191) 643 6089

Garry Hoyle Parking Manager (0191) 643 6599

Alison Campbell, Financial Business Manager, (0191) 643 7038

### **1.10 Background information:**

None.

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

Funding is available from the 2011/12 Parking Control (Parking Review) 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. All schemes are formally advertised and include a 21-day period for objections. In accordance with Council policy, if any objections cannot be resolved, then Cabinet is asked to consider the objections.

The required legal Notice of Intent was published in the local press and the proposed order may be cited as the North Tyneside Council (Station Road, Benton) (Prohibition of Waiting) Order 2010. A copy is attached as Appendix 2.

### **2.3 Consultation/community engagement**

Consultation carried out with residents and Ward Members during the development of the scheme is outlined in paragraph 1.5. The process is also subject to statutory consultation as described at paragraph 2.2.

### **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. The scheme may have potential positive equal opportunity implications in that physical accessibility, particularly for people with disabilities, may be improved as a result of the scheme.

### **2.6 Risk management**

There are no adverse risk management implications arising from this report.

### **2.7 Crime and disorder**

There are no direct crime and disorder issues arising from this report.

### **2.8 Environment and sustainability**

There are no direct environment and sustainability issues arising from this report.

### **PART 3 - SIGN OFF**

- Strategic Director(s)
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Strategic Director with Responsibility for Community Engagement

## **Appendix 1 Letters of objection and associated correspondence**

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**From:** Mr H

**Subject:** Parking Restrictions

### **Details of Objection**

#### **Letter 1**

Dear Mr Laws

Date received 28 June 2010

#### **Proposed Parking Restrictions on Station Road, Forest Hall**

This problem was raised in November 2008 and you do not appear to have developed your thinking since.

I attach a copy of my original response to this ill thought out proposal and a subsequent letter requesting your considered response to traffic problems on Station Road that you have either helped to create or allowed to develop beyond an acceptable level.

I shall again await your detailed reply to the clear problems that I have outlined and that have existed for some years.

Yours sincerely

Mr H

Copy to relevant Councillor

#### **Letter 2**

Highways Dept

Date received 1 July 2010

Parking Restrictions – Station Road, Forest Hall

I received your standard letter in response to a request for my opinion on your proposals for parking restrictions on Station Road.

As I pointed out in my response, your proposal does not begin to tackle the problem. Your previous actions have led to two accidents outside our house.

I should therefore like to have your considered answer to clear problems that you generated on Station Road.

I enclose a further copy of my response to your parking restriction proposal for your convenient reference.

I look forward to your early reply.

Yours faithfully

Mr H

### **Letter 3**

Highways Department

Date received 1 July 2010

#### **Parking Restrictions on Station Road, Forest Hall**

Your proposal does not tackle the root of the problem, namely post office workers and ministry workers causing a nuisance and danger by parking on Station Road.

You will be aware, I trust, that there is a regular occurrence of accidents on this inoffensive stretch of road due to careless parking and speeding cars coming down off the flyover.

You have spent a great deal of money putting restrictions on parking in side streets the end result being cars lining the main road causing considerable danger and restriction to traffic. The area between 28 Station Road and 36 Station Road is particularly bad as you appear to have just realised. However, by proposing no waiting at any time (double yellow lines presumably) you are virtually barring residents in these five houses just referred to, from using cars. Why? Because they cannot manoeuvre in and out their driveway during early morning and late afternoon due to the continuous stream of cars using the road, and now you propose to stop them parking on the verge to gain access to their homes.

And why it is impossible to drive in and out of their homes safely? Because of the careless parking by workers and commuters on the opposite side of the road from these houses that results in a severe restriction to the width of the road that causes a danger for these residents trying to leave or return to their homes.

This problem has been abundantly clear for many years and has been getting steadily worse as more housing estates have been built without due regard to the wider traffic problems that they cause in the area and the inadequate old road system that will not cope with greatly increased traffic flow. The result is a danger to and a diminution in the lifestyle of existing communities due to the policies, or lack of them, by the planning system.

To exacerbate the problem of traffic generation from housing, it appears that the Ministry has been allowed to get away with complete inadequate provision of car parking on their site, causing an unnecessary cost on the Council rates from all your car parking restrictions that you have freely laid out on the surrounding streets.

To make matters worse for the existing community, I understand that a further new housing estate is to be built with an exit onto the junction of Station Road and Whitley Road. This traffic light junction does now work with the present amount of traffic, so what will it be like in the future. Perhaps your intention is to slow traffic to such an extent that commuters will be forced onto the metro system. I would support you whole heartedly on that one, but for the existence of two problems:

- There has been little or no planned car parking provision for linking with the transport system,
- Metro fare prices are twice what they should be.

The problem of traffic on Station Road is also set to become even worse with the proposal for an amalgamation of schools onto one site at Longbenton High School. The only access road, Goathland Avenue cannot cope at present so what will happen when you concentrate these other schools on this site?

Bearing these wider issues in mind and the deteriorating environment in Forest Hall due to traffic noise and pollution, we do not consider your proposal in the lease acceptable.

My suggestion would be as follows:

Whilst the Post Office should never have been allowed in a residential area, due to the unbelievable noise they make before 6am through to 8am, clearly the activity will continue. However, it is time that the Post Office provided car parking on its own site and post office workers should be prevented from parking on Station Road early in the morning. The result as I have said is a needless danger for residents opposite trying to gain access or leave their own driveways. In addition, I am sure that you are by now aware that it is also difficult and dangerous for cars trying to leave Victoria Avenue and Clifton Terrace due to the poor sight lines and the restricted width of main road caused by parked cars.

I recall two accidents in the last year or so from cars trying to exit Victoria Avenue.

In addition to PO workers parking on Station Road, there are frequent visitors for parcels at the sorting office. This seems to be an increasing need, and again the PO should provide a safe place for visitors to park that is not going to restrict and endanger road users, pedestrians and residents on Station Road.

There is open ground at the end of the sorting office site and the pavement alongside the sorting office is wide enough to make a lay by. The bollards that were put up a while ago on the verge, presumably by the Council, of course made the situation worse.

Parking on the side next to the sorting office would of course have to be restricted, due to the root of the car parking problem that we all know about: Ministry worker's car parking plaguing the surrounding area. Clearly there would also have to be some form of restricted parking on the other side too, but with provision for residents to park short term in order to gain access to their houses when impossible to manoeuvre in and out of driveways for much of the day.

Station Road was built as a residential road, and areas around it, as you will know, have been designated a conservation area. As such it should not be turned into a major highway route at the expense of the residents who live on it. Nor should it be turned into a dangerous car park from inadequate planning. The residents deserve some respect for having to tolerate the huge increase in traffic that now flows through the area compared with 25 years ago. If the recent Conservation Area status is to mean anything, the proliferation of signs, white and yellow road lines, removal of the grass verge alongside the sorting office and inappropriate bollards on pavements must be limited.

We are pleased that you now appear to be aware of the problem and are seeking our views as residents most affected. I therefore trust that you will consider further how best to resolve the problem on this stretch of Station Road and will let us know in due course how your proposals might be improved to better resolve the situation.

Mr HI

Copy to councillor:

John Goodfellow



## Response to the Objection

Dear Mr H

### **Subject: Proposed Parking Restrictions – Station Road**

Thank you for taking the time to fill in the recent questionnaire regarding parking proposals.

Waiting restrictions are installed following the establishment of a Traffic Regulation Order (TRO). The procedures for making TRO's are laid down by the Secretary of State and must be observed by the council. The procedures require the council to consult on the proposed TRO's with all interested parties (ie. Northumbria Police, emergency services, and local councillors as a minimum) and then publish notices in the local press and on street (where contentious proposals are brought forward) detailing the proposal and inviting valid objections in writing.

Whilst I understand your concerns regarding vehicles as a result of the consultation it is clear that a number of residents are satisfied with the proposals, however a number of residents have stipulated they would like to see others measures introduced.

The residents affected by the proposals do have alternative off road parking and visitors will be permitted to park in Northumberland Avenue and Clifton Terrace.

I must stress that further surveys to Northumberland Avenue and the surrounding area's will be carried out if the yellow lines are implemented to see if a change of restriction is required.

Consultation with all of the residents and ward councillors will be undertaken if a restriction is to change.

Parking on the footway cannot be enforced by this authority unless waiting restrictions exist on the carriageway. Northumbria Police have enforcement powers to enforce footway parking.

I hope this clarifies the situation. If you wish to discuss this matter further please feel free to contact me on the above number.

Yours faithfully

Simon Laws  
Parking Officer

**Mr P**

**Details of Objection**

Date Received 21 June 2010

**Proposal : Introduction of Double Yellow lines and Bus Stop on Station Road, Benton**

Are you in favour of the proposal. Please complete by the 1<sup>st</sup> July 2010.

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments. I am not In favour; of this proposal because all it would do is force all the cars that now park in Station Road to park in Northumberland Avenue. We already have enough problems with illegal and inconsiderate parking outside our house which combined with the ?? of any enforcement of parking restrictions make our life difficult enough.

If you actually enforced the parking regulations and issued penalty tickets for parking on pavements, illegal parking, etc then the problem would soon stop. You don't need additional regulations and restrictions, you just need to use and enforce the ones you already have.

If, despite this advice, you go ahead with these proposals, can I ask that at the same time you change the parking restrictions on Northumberland Avenue from 10-11 and 2-3 to a 9-5 one to reduce the impact on residents – particularly these in 1,2,3+5

Thank you

Name: Mr P

Mrs P

**Response to the Objection**

Dear Mr P

**Subject: Proposed Parking Restrictions – Station Road**

Thank you for taking the time to fill in the recent questionnaire regarding parking proposals. Waiting restrictions are installed following the establishment of a Traffic Regulation Order (TRO). The procedures for making TRO's are laid down by the Secretary of State and must be observed by the council. The procedures require the council to consult on the proposed TRO's with all interested parties (ie. Northumbria Police, emergency services, and local councillors as a minimum) and then publish notices in the local press and on street (where contentious proposals are brought forward) detailing the proposal and inviting valid objections in writing.

Whilst I understand your concerns regarding vehicles as a result of the consultation it is clear that a number of residents are satisfied with the proposals, however a number of residents have stipulated they would like to see others measures introduced.

The residents affected by the proposals do have alternative off road parking and visitors will be permitted to park in Northumberland Avenue and Clifton Terrace.

I must stress that further surveys to Northumberland Avenue and the surrounding area's will be carried out if the yellow lines are implemented to see if a change of restriction is required.

Consultation with all of the residents and ward councillors will be undertaken if a restriction is to change.

In the short term I intend to pass your comments on to the enforcement team who will undertake additional enforcement patrol's.

Parking on the footway cannot be enforced by this authority unless waiting restrictions exist on the carriageway. Northumbria Police have enforcement powers to enforce footway parking.

I hope this clarifies the situation. If you wish to discuss this matter further please feel free to contact me on the above number.

Yours faithfully

Simon Laws  
Parking Officer

**Mrs P**

**Details of Objection**

Date received 26 June 2010

Dear Mr Laws

As I have been trying to contact you by phone for several days without success I am now writing to you regarding parking restrictions on Station Road

I agree at times there is a problem, however we totally disagree regarding double yellow lines outside peoples homes, especially when there is a simple solution.

We ourselves do not have a car yet at times these can be up to three cars outside our house.

Non of the residents park on the road it is only strangers, so the simple and obvious solution would be to make the area Residents Parking only or Permit Parking.

Also the council have caused some of the problems by putting in metal hoops in the opposite side of the road (Royal Mail Side). Previously cars could park half on and half off the pavement which is ample wide enough, so making more room on the road.

In conclusion we definitely do not want double yellow lines outside our home but will happily go along with less extreme measures as mentioned earlier.

Yours sincerely  
Mrs. P

## **Response to the Objection**

Dear Mrs P

### **Subject: Proposed Parking Restrictions – Station Road**

Thank you for taking the time to write to me regarding Station Road.

Waiting restrictions are installed following the establishment of a Traffic Regulation Order (TRO). The procedures for making TRO's are laid down by the Secretary of State and must be observed by the council. The procedures require the council to consult on the proposed TRO's with all interested parties (ie. Northumbria Police, emergency services, and local councillors as a minimum) and then publish notices in the local press and on street (where contentious proposals are brought forward) detailing the proposal and inviting valid objections in writing.

Whilst I understand your concerns regarding vehicles as a result of the consultation it is clear that a number of residents are satisfied with the proposals, however a number of residents have stipulated they would like to see others measures introduced.

The residents affected by the proposals do have alternative off road parking and visitors will be permitted to park in Northumberland Avenue and Clifton Terrace.

I must stress that further surveys to Northumberland Avenue and the surrounding area's will be carried out if the yellow lines are implemented to see if a change of restriction is required.

Consultation with all of the residents and ward councillors will be undertaken if a restriction is to change.

I hope this clarifies the situation. If you wish to discuss this matter further please feel free to contact me on the above number.

If I do not hear from you within the next 14 days I will assume you will be happy for me to progress with the proposals.

Yours faithfully

Simon Laws  
Parking Office

**NORTH TYNESIDE COUNCIL  
(STATION ROAD, FOREST HALL)  
(PROHIBITION OF WAITING) ORDER 2010**

North Tyneside Council gives notice that it proposes to make an Order under Sections 1 and 2 of the Road Traffic Regulation Act 1984.

The effect of the Order, if made, will be to prohibit waiting at all times on the following:

1. East side of Station Road, Forest Hall from a point 10 metres north of the junction of Percy Hedley Centre to a point 167 metres north of that junction.
2. Both Sides of Northumberland Avenue from the junction of Station Road for a distance of 3 metres in a easterly direction.

The proposed Order is necessary to improve road safety in accordance with Sections 1(1)(a) and (c) of the Road Traffic Regulation Act 1984.

Details of the intended Order, together with a map showing the restriction, may be examined at Quadrant, The Silverlink North, Cobalt Business Park between 8.30am and 4.00pm on Mondays to Fridays, except Public Holidays.

If you wish to object to the proposed Order you should do so in writing to the address set out below by 3 November 2010 and include the grounds for the objection.

13 October 2010

V Geary  
Head of Legal, Governance and Commercial Services  
c/o Democratic Support (PW)  
Quadrant  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

[www.northtyneside.gov.uk](http://www.northtyneside.gov.uk)