

# North Tyneside Council

## Report to Cabinet

### Date: 13 August 2012

**ITEM 5(a)(iv)**  
**Title: Traffic Regulation**  
**Order (New Waiting**  
**Restriction – Percy Park**  
**Road, Tynemouth)**

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

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

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

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

**Wards affected:** Tynemouth

#### **PART 1**

##### **1.1 Purpose:**

The purpose of this report is to inform Cabinet of two objections received to the proposal to introduce a limited waiting restriction within a section of parking bays on Percy Park Road, Tynemouth, 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 within the area; and
- iii. confirm the Traffic Regulation Order.

##### **1.3 Forward Plan:**

This report appears on the Forward Plan for the period 1 July to 31 October 2012.

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

This report is not directly related to any of the priorities in the Council Strategic Plan 2012 - 2015.

## 1.5 Information:

### 1.5.1 Background

In response to a request from the Tynemouth Business Forum the Council carried out inspections of the parking bays on Percy Park Road outside Priory School and outside the shops opposite. The inspections confirmed that usage during the day was predominantly long-stay parking, much of which appeared to be associated with the adjacent school. Following discussions with the Ward Members, the Council undertook a consultation with the adjacent Businesses and residents regarding the proposed introduction of a limited waiting restriction within the bays during weekdays. Nine Businesses, the adjacent School and 2 residents were consulted. 5 Businesses responded in favour of the proposal; 2 businesses, 1 resident and the School responded against the proposal. The results were discussed with the Ward Members who confirmed that they wished to proceed with the proposal as it would maximise use of the space during the week by encouraging a high turnover of parking.

In November 2011 a statutory Notice of Intention was advertised relating to the proposed introduction of a restriction on the length of stay of 2 hours with no return within 2 hours on Monday to Friday between 8.00am and 6.00pm in the bays highlighted on the plan in Appendix 3.

Two objections were received in response to the statutory Notice of Intention. Both objectors had responded against the proposal in the initial consultation.

A summary of the objections are provided in section 1.5.3 and the full text of the objection is reproduced in Appendix 1.

### 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

#### 1.5.3.1 Mrs G

Mrs G operates a hairdresser business nearby and is concerned that the 2 hour restriction proposed would be detrimental to business. She feels that a 3 hour restriction would be more appropriate for her needs. She also feels that there is not sufficient parking available in the streets that form the TM2 Permit Zone (Permit Holders Only Saturday, Sunday and Bank Holidays) to accommodate her customers during the week.

Council officers wrote to Mrs G and confirmed that scratchcard vouchers were available to businesses that they could distribute to customers. The scratchcards enable a driver to park for up to 3 hours and are not restricted to any specific zone so could be used in either Permit Zone TM1 or TM2. Inspections of the street included in these Permit Zones confirmed that there was a significant amount of available parking during

weekdays. A further scratchcard option was also available to businesses that would enable the driver to park for up to 4 hours in the adjacent pay and display bays on Front Street.

The suggested 3 hour limit was discussed with the Ward Members however they felt that the 2 hour limit offered more benefits for the majority of businesses in this area. They also felt that the existing scratchcard options were adequate to accommodate the relatively small number of customers who needed to park for longer than the 2 hours offered in these bays.

#### **1.5.3.2 Mr D**

Mr D lives above one of the businesses adjacent to the bays with a garage access off Back Prudhoe Terrace, which is within the TM1 Permit Zone. He feels that a parking space in close proximity to the property was essential. Mr D currently has permits to park in Permit Zone TM1 however he feels that the lane adjacent to his property was regularly obstructed by commercial vehicles delivering to the adjacent businesses and that these vehicles regularly prevented him gaining access to his garage.

He would prefer to park his vehicle(s) in the bays on Percy Park Road during the evening as he had experienced some damage whilst parked in the lane in the past.

He indicated that he would be prepared to withdraw his objection if the proposed limited waiting restriction included an exemption for TM1 permit holders.

Inspections of the streets involved in the TM1 Permit Zone confirmed that there was available parking. The resident was also free to park in the streets involved in Permit Zone TM2 during the week. No incidents of obstruction were observed in the lane at the time of inspection although the lane is quite narrow.

Council officers wrote to Mr D and explained that the proposal only applied to daytime hours on Monday – Friday so he was free to park in the bays during the evening. It was also explained that his TM1 permit(s) was not specific to Back Prudhoe Terrace and could be utilised in any of the streets within this zone.

The suggested permit exemption was discussed with the Ward Members however they felt that this may result in a number of the spaces being taken up by TM1 permit holders for the majority of the day. This would reduce the benefits offered by the proposal.

#### **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 will maximise use of the space during weekdays by encouraging a high turnover of parking which will support the vitality and viability of the area.

### **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.

### **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:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

(1) North Tyneside Parking Strategy 2012 - 2016

(2) Tyne and Wear Local Transport Plan 2011 onwards (LTP3)

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

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

Funding is available from the 2012/13 Parking Control 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 compliance with the requirements of the Road Traffic Act 1984 and associated Regulations.. 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 North Tyneside Council (On Street Parking Places) (Consolidation) Order 2011 Variation Order No. 7 2012 – Percy Park Road, Tynemouth. A copy is attached as Appendix 2.

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

Consultation was carried out with adjacent residents/businesses, the Tynemouth Business Forum 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 human rights obligations.

## **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**

- Chief Executive ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Strategic Manager for Policy and Partnerships ☒

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

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### **I. Objection from Mrs G**

I would like to object to the proposed parking restrictions on Percy Park Road.

I have a business nearby which I feel will be affected by this as customers having colours and perms need more than two hours. In the consultation I suggested three hours would be more appropriate as that would mean my customers could still use this facility. Unfortunately they are unable to use Front Street as that is limited to two hours maximum stay. I think the council is penalising service industries with this proposal. I have tried to be very understanding with the council over the parking situation but feel now that the Business Forum seem to take over and the voice of a single person is not being heard. I feel very worn down by it all. There is not enough provision for the cars that are parked there at the moment for them to fit into Permit Zone TM2 the residents in the other streets are unhappy and will be asking for something to be done. The alley off Percy Park Road where entrances for home are the residents park in the concerned area as you can not park all of the cars in the lane due to garages etc these cars where are they going to park as no provision has been made.

### **Response from Council**

I have been forwarded a copy of your objection to the Notice of Intention relating to the above.

Following recent discussions between the Cabinet Member and the Tynemouth Business Forum, I can confirm that businesses can now purchase 10 books of 10 x 3 hours scratchcards per month that they could distribute to customers, although you would not be permitted to advertise this facility in your shop window or online. As you are aware, the scratchcards will enable your customers to park for up to 3 hours in either Permit Zone TM1 or TM2. Recent inspections of the streets included in these Permit Zones confirmed that there was a significant amount of available parking during weekdays when the proposed restriction on Percy Park Road will be in operation. A further scratchcard option is also available to your business that you could distribute to customers that would enable the driver to park for up to 4 hours in the adjacent pay and display bays on Front Street. Further details of this option can be obtained by contacting the Parking Control office on telephone number (0191) 6432121.

Your suggestion to increase the proposed limited waiting to 3 hours has been discussed with the Ward Members however they felt that the 2 hours limit offered more benefits for the majority of businesses in this area. They also felt that the scratchcard options described above should accommodate the customers who needed to park for longer than the 2 hours offered in these bays.

I would be grateful if you could consider my comments and confirm whether you wish to withdraw your objection.

In accordance with Council policy, if any objections cannot be resolved, then a report will be submitted to Cabinet to consider the objections.

Yours sincerely

Garry Hoyle  
Parking Manager

**\* Although at the date this report was finalised no response had yet been received to the officer's letter from Mrs G, if such a response is received before the date of the Cabinet meeting, this further information will be shared with Cabinet for consideration at the meeting**

## **II. Objection from Mr D**

It is with regret that I must object to the new proposal.

I believe the scheme has merit, but would severely restrict my wife and I by not being able to park in this area as residents who live in the immediate vicinity. I have just paid for a TM1 permit for second car and if I read the proposal correctly, it would mean that we would not be allowed to park more than two hours near our house. If TM1 permit holders could park free for unlimited periods then this would be acceptable.

The parking in the lane back of Prudhoe Terrace is limited to say the least. Commercial deliveries and other temp parking mean we can not often get parked outside or have access to our own garage. The number of garages in the lane also makes for restricted parking as obstructions can be caused for through traffic. We mind a 3 year old grandchild 3-4 days a week and need close access to house for prams etc.

Also it is not feasible to park in the lane overnight as I have had one car stolen and others why we prefer to park on the road whenever possible.

New restrictions would mean we have to park possible in Prudhoe Terrace as residents in order to allow others to use spaces out front to shop.

Yours sincerely

Mr D

## **Response from Council**

I have been forwarded a copy of your objection to the Notice of Intention relating to the above.

For clarification, the proposed restriction on the length of stay of 2 hours with no return within 2 hours only applies on Monday to Friday between 8.00am and 6.00pm. You would therefore be free to park in these bays during the evening, although you would have to move your vehicle by 10:00am on weekdays so as to comply with the restriction. I would also like to explain that your existing TM1 permits are not specific to the lane adjacent to your property, but would enable you to park in any of the streets included in the TM1 Permit Zone. Recent inspections of these streets have confirmed that there was a significant amount of available parking during weekdays when the proposed restriction on Percy Park Road will be in operation.

With regard to the obstruction issues that you are experiencing in the lane, if these are occurring regularly and for an unreasonable length of time, then I would strongly recommend that you contact the police, who are responsible for enforcing obstructions of the highway. If you are prevented from gaining entry or exit from your garage by the presence of a parked vehicle then I would suggest that an obstruction offence is being committed. The Council have no enforcement powers in this regard however and the actual decision as to whether an offence is being committed and what enforcement action that they consider appropriate must remain with the police.



Your suggestion to include an exemption to the limited waiting restriction for TM1 Permit Holders was discussed with the Ward Members however they felt that this may result in a number of the spaces being taken up by TM1 permit holders for the majority of the day, which would reduce the benefits offered by the proposal.

I would be grateful if you could consider my comments and confirm whether you wish to withdraw your objection.

In accordance with Council policy, if any objections cannot be resolved, then a report will be submitted to Cabinet to consider the objections.

Yours sincerely

Garry Hoyle  
Parking Manager

**\* Although at the date this report was finalised no response had yet been received to the officer's letter from Mr D, if such a response is received before the date of the Cabinet meeting, this further information will be shared with Cabinet for consideration at the meeting.**

**NORTH TYNESIDE COUNCIL**

**(ON STREET PARKING PLACES) (CONSOLIDATION) ORDER 2011  
VARIATION ORDER NO. 7 2012**

**PERCY PARK ROAD, TYNEMOUTH**

North Tyneside Council gives notice that it proposes to make an Order to vary the North Tyneside (On Street Parking Places) (Consolidation) Order 2011 under Sections 1, 2, 32, 35, 45, 46 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984.

The effect of the variation order, if made, will be to introduce limited waiting restrictions on Percy Park Road, Tynemouth:-

- a) on its west side from a point 14 metres north of its junction with St. Oswin's Place for a distance of 37 metres,
- b) on its east side from its junction with Back Prudhoe Terrace in a southerly direction for a distance of 13 metres
- c) on its east side from its junction with Back Prudhoe Terrace and in a northerly direction for a distance of 31 metres.

The restriction on the length of stay will be 2 hours with no return within 2 hours on Monday to Friday between 8.00am and 6.00pm. There will be no exemptions for permit holders. The proposed changes are required to encourage a better turnover of parking and make more effective use of the parking places.

Full details of the proposals may be examined at the address below between 8.30 am and 4.30 pm on Mondays to Fridays. If you wish to object to the proposed variation, you should send the grounds for your objection in writing to the undersigned by 19 June 2012. Any objections received will be placed in the working file and can be viewed by the public if requested.

18 May 2012

V Geary  
Head of Legal, Governance and Commercial Services  
c/o Democratic Services  
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Appendix 3

