

# North Tyneside Council Report to Cabinet Member for Environment and Transport Date: 25 October 2019

Traffic Regulation  
Order – Ayres  
Terrace, North Shields

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Portfolio(s): Environment and Transport

Cabinet Member(s): Cllr C Johnson

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Report from Service Area: Environment, Housing and Leisure

Responsible Officer: Phil Scott, Head of Environment, Housing and Leisure (Tel: 0191 643 7295)

Wards affected: Preston

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## PART 1

### 1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce a 'Limited Waiting' restriction on Ayres Terrace 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 providing customer parking for a local business on Ayres Terrace; and
- (3) determines that the Traffic Regulation Order should be made unchanged.

### 1.3 Forward Plan:

Objections relating to proposed Traffic Regulation Orders are a standard 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 2018 to 2020:

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

## 1.5 Information:

### 1.5.1 Background

The proposal to introduce a short stay, free parking area within the permit parking scheme on Ayres Terrace was developed as a result of a request from a local veterinary practice. Concerns were raised about the lack of customer parking following the withdrawal of parking vouchers as part of changes to North Tyneside Council's permit parking policy introduced in 2018. These vouchers could previously be used by customers visiting the practice to park within the existing permit parking zone which operates between 9am and 5pm, Monday to Saturday.

Changes to the permit parking policy were introduced following an extensive review conducted by the Authority's Overview and Scrutiny Committee with input from residents, businesses and other stakeholders. This established that the previous permit system needed to be simplified and that parking vouchers were being abused in certain cases.

The introduction of a limited waiting restriction in Ayres Terrace will allow visitors to the area including customers of the veterinary practice to park for up to 2 hours (with no return in 4 hours) between the hours of 9am and 5pm, Monday to Saturday. Outside of these times, parking will be unrestricted at this location.

Affected residents were informed of the proposal by letter. 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 this 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

**Miss H**, a local resident, submitted an objection to the scheme based on her view that the proposed limited waiting restriction would have an adverse effect on residents and their visitors attempting to park in Ayres Terrace. In her opinion, the restrictions would put more pressure on the already limited parking provision on Ayres Terrace. The resident also felt that visitors using the limited waiting parking bay should have to pay and that it is

unfair for residents to be required to pay for permits if the practice is to be provided with free parking for customers.

An officer wrote to the objector to clarify that the proposal had been developed primarily to provide customer parking for the veterinary practice but would still be able to be used by residents and their visitors. It was explained that the proposal of introducing a small, short stay parking area within the permit parking scheme which only operates during the day was chosen as it would offer some provision for customers whilst keeping any impact on permit holders to a minimum.

The objector was invited to reconsider her objection in light of this information by responding to officers in writing by 15 May 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 proposals will support the operation of a local business whilst keeping any impact on permit holders to a minimum.

## **1.8 Appendices:**

Appendix 1 Details 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:**

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:**

North Tyneside Transport Strategy  
<https://my.northtyneside.gov.uk/category/1237/transport-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 and (On Street Parking Places) (Consolidation) Order 2017 Variation Orders 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 – Miss H (dated 8<sup>th</sup> March 2019)**

I would like to object to the proposed two hour waiting outside [a local] vets in Ayres Terrace. The area was made residents parking and the people who live in the street have no choice but to pay for parking. As a resident of Ayres Terrace with no car I have to pay for the privilege of visitors coming to my property so in my view visitors to the vets should pay too. Or it should be subsidised by the vets like I have to subsidise people visiting me. The vets can more afford to subsidise visitors parking than I can.

I can't see how its going to work either because people will soon be parking there to go to the shops. Also if this area is full people visiting the vets will have to pay anyway. I think car drivers should expect to pay for parking as they have to in most town centres. I find it strange the council proposing two hour waiting on the say so of staff and customers of the vets who don't live here. The staff won't be able to use the two hour parking and customers who visit rarely are introducing parking restrictions that they don't have to live with on a daily basis. It will limit where residents, visitors and workmen can park just because the customers don't want to pay to park. The residents don't want to pay either but have no choice.

There are already too many cars parking in the street due to already limited parking in Springfield, Ashfield and Lovaine Terrace whose residents park in Ayres Terrace. Taking away spaces will just enhance an already big problem of illegal parking in the area.

### **Council Response (dated 15 March 2019)**

Good Morning Ms H,

Following your formal objection to the proposal which involves installing a limited waiting restriction on Ayres Terrace, I would like to reiterate the extents of the proposal and the reasoning as to why we are proposing to install the limited waiting facility.

The proposal to introduce a limited waiting restriction on Ayres Terrace was brought to our attention by [a local veterinary practice]. I believe that in the past the business used visitor permits or scratch cards, however these no longer available to businesses in North Tyneside due to their misuse at various sites around the borough.

In relation to your first point, the business has expressed concerns with parking for their customers and therefore the 2 hour limit would be installed to support the business. Your visitors would also be able to park in this zone without having to pay for a permit providing they did not stay for longer than the 2 hour restriction.

To address your second point, during site inspections of the street, it was clear that the street was not fully parked up and therefore it is believed that the installation of this bay will not be detrimental to the residents however this would be monitored following the installation.

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 15<sup>th</sup> May. 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.

Kind Regards

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**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 (On Street Parking Places) (Consolidation) Order 2017 so that:
  1. limited waiting parking places be introduced on:
    - i) Ayres Terrace, North Shields on its south west side, from a point 4 metres south east of its junction with Lovaine Terrace to a point 19 metres south east of that junction so that waiting is limited to a maximum duration of 2 hours, with no return in 4 hours, on Monday to Saturday between 9.00am and 5.00pm; and
    - ii) the unnamed road off Benton Lane, West Moor on its north east side, from a point 8m south east of its junction with Benton Lane to a point 24m south east of that junction so that waiting is limited to a maximum duration of 2 hours, with no return in 4 hours, on Monday to Friday between 8.00am and 6.00pm;

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@northynteside.gov.uk](mailto:democraticsupport@northynteside.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

