

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

Traffic Regulation
Order – Ongar Way,
Longbenton

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: Longbenton

PART 1

1.1 Executive Summary:

This report seeks the approval of the Cabinet Member for Environment and Transport to introduce waiting restrictions (double yellow lines) on Ongar Way 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 maintaining access for residents, refuse collection staff and the emergency services; 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 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 waiting restrictions on Ongar Way was developed as a result of a request from colleagues in the Authority's refuse collection team who raised concerns about on street parking causing obstructions during their collections. Residents were sent letters informing them of the proposal and as a result of comments received by officers, the scheme was amended to include double yellow lines at the western junction of Ongar Way and Glenfield Road. The feedback received in relation to the proposal from residents was predominantly supportive. The proposal was also supported by ward councillors.

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 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

A local resident, **Mr B** submitted an objection to the scheme based on his view that the proposed restriction would have a detrimental effect on residents by reducing the available on street parking provision for them. He also felt that it would not provide a solution to the matter of non-residential parking reportedly associated with the street's proximity to Quorum Business Park.

An officer wrote to the objector to clarify that the restrictions proposed were to maintain vehicular access through Ongar Way by targeting specific pinch points and junctions where parking creates obstructions. With regard to permit parking restrictions, it was explained that Ongar Way had been assessed for these last year and had not met the appropriate criteria. It was also advised that the Authority continued to engage with local employers with a view to reducing the impact of commuter related parking and traffic on the network.

The objector was invited to reconsider his objection in light of this information by responding to officers in writing by 22 August 2019. No response was received from the resident.

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 ensure the carriageway is kept clear for residents, refuse collection staff and emergency services wishing to access properties in Ongar Way.

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:

North Tyneside Transport Strategy
<https://my.northtyneside.gov.uk/category/1237/transport-strategy>

North Tyneside Parking Strategy
<https://my.northtyneside.gov.uk/category/737/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 No.8 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 – Mr B (Dated 22nd July 2019)

Please accept this objection to the proposed double yellow line parking restrictions on Ongar Way NE12 8ED.

Ongar Way is a narrow two car wide road on a residential estate in Longbenton. The proposed restrictions have been put forward to keep the road clear from parked cars for some 30 minutes a week whilst the council refuse wagon collects the bins.

The cause of the obstructions are cars parked by staff attending offices in the Quorum Business Park. They park on the unrestricted road normally from 7:30 a.m. to 6:00 p.m. Monday to Friday. The Police have attempted to contact drivers from their records and the DVLA database but fail as the contact numbers found are home landline numbers, sometimes located in Southern and other parts of England.

There is ample parking places available on the Estate, but as companies have to pay business rates on these places, they choose not to take them and have advised staff to park on the estate. 50% of the business rates paid by Quorum businesses is given to the local authority so the use of the residential estate to reduce rate payment also reduces council revenue.

The laying of double yellow lines on Ongar Way is a draconian measure that the residents have not chosen and will not stop the additional traffic parking on the road, therefore I object to this measure on behalf of residents.

Instead of solving the parking problems all the available parking space left will be used by Quorum staff from 7:30 a.m. to 6.00 p.m. Monday to Friday leaving no space available for either the residents or their visitors during the day. This will then cause severe problems for the Doctors, District Nurses, Care Workers, Council and Private Contractors, other essential visitors calling on the residents including residents working part time or on shift work who arrive home during the day. This will cause residents to block the road with cones, furniture and refuse bins.

There is also an issue regarding the additional air pollution the Quorum staff extra traffic generates on Ongar way during the morning and evening one hour periods when children are walking to and from school or playing on the street. The pollution is greatest of an afternoon or evening when vehicles parked all day set off with cold engines.

When polled the residents agreed to a Resident Only restriction. This was rejected by Capita, the councils contractors responsible for the management of road parking restrictions. Requests to the council for a copy of their report for a due diligence exercise have not been successful.

Capita have written to explain they have no Performance Indicators attached to their contract with the council. This could explain complaints that have been raised regarding their failure to turn up or act on strangers cars parked on the existing yellow lines on the estate. Perhaps the council should look at adding Performance Indicators (PIs) and Key Performance Indicators (KPIs – these have penalty payments attached) in the future to service contracts as is normal in private industry.

If Resident Only restrictions cannot be made on Ongar Way as requested, then the next best solution would be a single yellow line with parking restrictions “Monday to Friday 8am to 6pm, 2hours No return within 4 hours” as placed in West Moor where the same problem existed. This will give essential visitors to residents of Ongar Way an opportunity to park. If a road blockage

then occurs the driver should be found in a nearby residents dwelling. This solution has been successful in West Moor.

Could you please return copies of all reports made that have led to these proposals so they can be reviewed.

Could you please inform when the restrictions will go in front of the court in order to allow a legal challenge to be made.

A photograph taken in West Moor of the single line restriction is attached.

Officer Response (Dated 25th July 2019)

Mr Broome,

I am emailing following your formal objection to the proposal which involves installing waiting restrictions (double yellow lines) on Ongar Way, I would like to reiterate the extents of the proposal and the reasoning as to why we are proposing to install waiting restrictions.

The proposal to introduce waiting restrictions was developed to prevent obstructive parking at certain key locations on Ongar Way to facilitate traffic flows and improve access for refuse collection vehicles in particular. We would not look to amend the restriction to apply for a short time period only, as although the requirements of our refuse collection team are a significant factor, the proposal is designed to maintain access for all vehicles at all times on a road that is narrow and can only accommodate a single line of parked vehicles. The signage associated with installing a single yellow line restriction (which applies at certain times only) would also be excessive.

Whilst your comment that other residents share your view of the proposal is noted, it was our understanding that the majority of residents supported this scheme based on the outcome of an informal consultation conducted in February 2019. This involved a letter containing a plan of the proposal being sent to every resident of Ongar Way and also to properties on the Glenfield Road junctions which resulted in positive feedback. Officers assessing Ongar Way have also received support during discussions with residents on site in relation to the proposal. The proposal has also received support from local ward councilors and the police. Any residents who do not agree with the current proposal have the opportunity to make formal representation until the 6th August as you have done.

With regard to your request for permit parking restrictions to be considered for Ongar Way, the results of parking surveys conducted previously in the street did not meet the necessary criteria for permit parking restrictions and so this option was not taken forward. Please note that these criteria are specified in North Tyneside Council's Parking Strategy which was approved by Cabinet and it is therefore not the case that the decision not to introduce a permit parking scheme was based on any directive from Capita.

In the event that the proposed waiting restrictions are introduced, officers will assess the impact of this scheme and consider the possible introduction of further restrictions, including permit parking restrictions if appropriate.

Your comments regarding the short stay parking bay in West Moor are noted but this type of restriction would not normally be appropriate for residential streets unless introduced in conjunction with a permit parking scheme as it would mean that residents themselves would be unable to park on-street for more than 2 hours. Your comments regarding parking by staff at the Quorum are also noted and I can confirm that as per the approach set out in North Tyneside

Council's parking strategy, we continue to engage with the suspected source of the parking pressure in this area (in this case the local business parks) with a view to reducing the impact of commuter related parking and traffic on the network.

With reference to your request for a copy of all reports relating to this proposal, I can confirm that no reports have been produced in relation to the proposed scheme. The scheme was developed following a meeting with ward councillors last year to discuss the issue of inconsiderate parking (after the permit parking surveys had been carried out) and it was agreed that officers would liaise with the police and colleagues in our refuse collection team with a view to developing a proposal to introduce some localised yellow line waiting restrictions. A plan was subsequently drawn up following site observations by officers from the traffic team and an informal consultation exercise carried out with local residents which, as mentioned above, received positive feedback.

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 22nd August. 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. This is hoped to be in September. 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.

NORTH TYNESIDE COUNCIL
(Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 Variation
No.8 2019

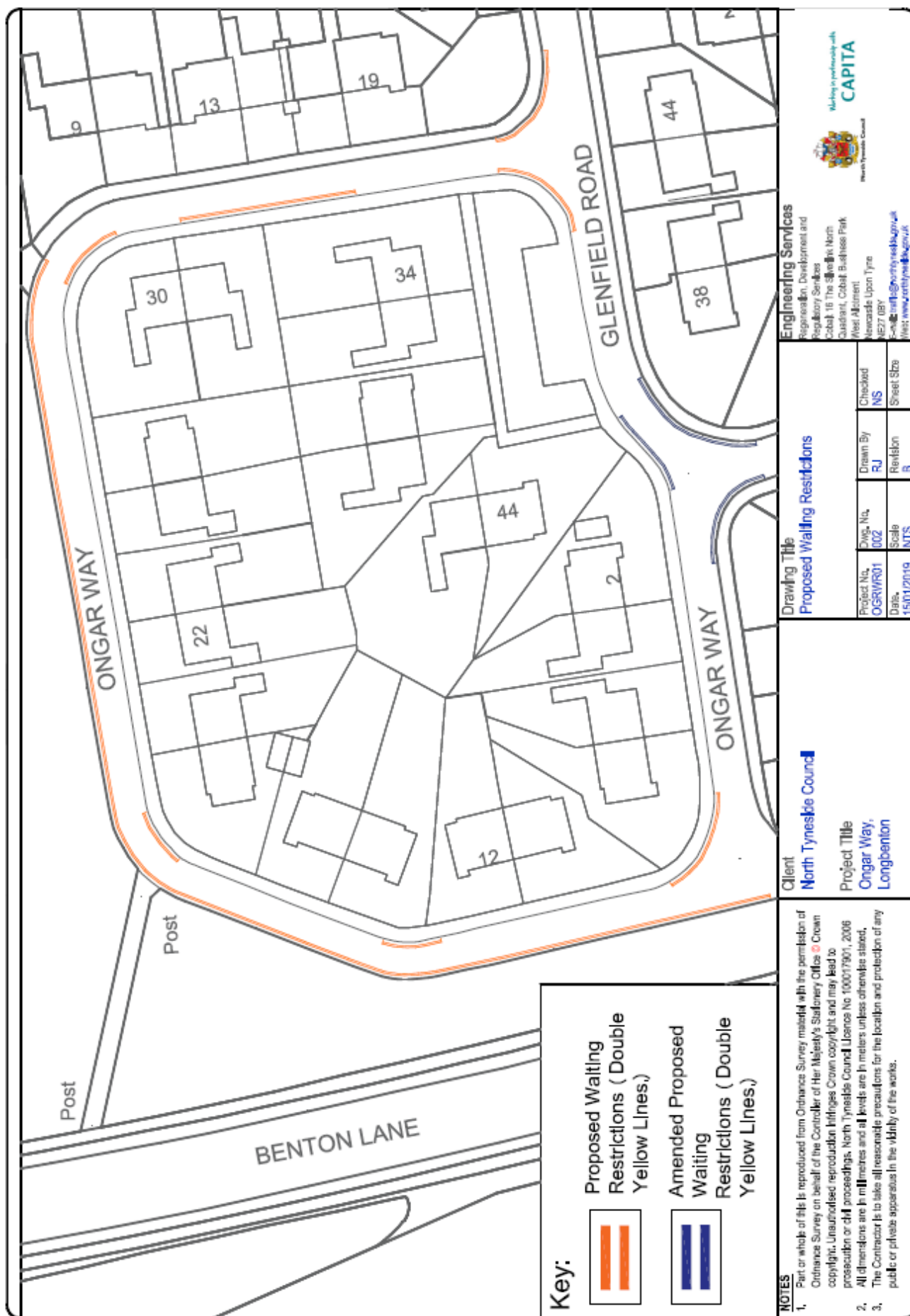
North Tyneside Council gives notice that it proposes to make Variation Orders under Sections 1, 2 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 and all other enabling powers. The effect of the Orders, if made, will be to vary

1. the North Tyneside (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2016 so that:-
 - a) Waiting restrictions at anytime (double yellow lines) be introduced on:-
 - i) Glenfield Road, Longbenton
 - North side, from a point 10 metres east of its eastern junction with Ongar Way to a point 10 metres west of that junction.
 - South side, from a point 55 metres west of its junction with Aylesbury Place to a point 73 metres west of that junction.
 - Both sides, from its western junction with Ongar Way to a point 12 metres south of that junction.
 - North side, from its western junction with Ongar Way to a point 16 metres east of that junction.
 - ii) Ongar Way, Longbenton
 - Both sides, from its eastern junction with Glenfield Road to a point 10 metres north of that junction.
 - South side, from its western junction with Glenfield Road to a point 10 metres west of that junction.
 - North side, from a point 40 metres west of its western junction with Glenfield Road in a westerly, then northerly direction for a distance of 17 metres.
 - East side, from a point 48 metres west then 43 metres north of its western junction with Glenfield Road in a northerly direction for a distance of 7 metres.
 - South-east side, from a point 48 metres west then 70 metres north of its western junction with Glenfield Road in a north-easterly direction for a distance of 10 metres.
 - West side, from a point 28 metres north of its eastern junction with Glenfield Road to a point 51 metres north of that junction.
 - West side, from a point 60 metres north of its eastern junction with Glenfield Road in a north westerly direction for a distance of 16 metres.
 - West and north sides, from a point 55 metres west of its western junction with Glenfield Road in a northerly direction for a distance of 92 metres, then an easterly direction for a distance of 83 metres.


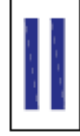
Further details of the proposals, may be examined at the address below between 8.30am and 4.00pm on Mondays to Fridays.

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 6 August 2019. Any objections received will be placed in the working file and can be viewed by the public if requested.

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



Key:

	Proposed Waiting Restrictions (Double Yellow Lines.)
	Amended Proposed Waiting Restrictions (Double Yellow Lines.)

NOTES

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- All dimensions are in millimetres and all levels are in meters unless otherwise stated.
- The Contractor is to take all reasonable precautions for the location and protection of any public or private apparatus in the vicinity of the works.

Client
 North Tyneside Council

Project Title
 Ongar Way,
 Longbenton

Drawing Title
 Proposed Waiting Restrictions

Project No. OGRWR01	Dwg. No. 002	Drawn By RJ	Checked NS
Date 15/01/2019	Scale NTS	Revision B	Sheet Size

Engineering Services
 Regeneration, Development and
 Regulatory Services
 2nd Fl, 16 The Station North
 Sandhill, Cobble Business Park
 West Aljourn
 Newcastle Upon Tyne
 NE27 0BY
enquiries@northtyneside.gov.uk
www.northtyneside.gov.uk

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