

North Tyneside Council

Report to Director of Regeneration and Economic Development

Date: 6 July 2023

Title: Traffic Regulation Order – School Keep Clear Restrictions, Hotspur North and Parkside View, Backworth

Report by: Nick Saunders, Traffic and Road Safety Team Leader

Report to: John Sparkes, Director of Regeneration and Economic Development

Wards affected: Valley

PART 1

1.1 Executive Summary:

This report seeks a delegated decision to advertise and, in the event that no objections are received, make an amendment to the Traffic Regulation Orders (TROs) associated with the School Keep Clear restrictions on Hotspur North and Parkside View so that their operating hours are extended.

1.2 Recommendation(s):

It is recommended that the Director of Regeneration and Economic Development makes a delegated decision

- (1) that notices for the proposal should be prepared and advertised in line with relevant statutory requirements;
- (2) that in the event that no objections are received following the period of consultation required by statute, that the circumstances do not warrant the holding of a Public Inquiry; and
- (3) that if no objections are received following the period of consultation required by statute, the Traffic Regulation Order shall be made.

1.3 Forward Plan:

Seeking delegated decisions to advertise and, in the event that no objections are received, to make 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 2021 to 2025:

- A green North Tyneside
 - We will publish an action plan of the steps we will take and the national investment we will seek to make North Tyneside carbon net-zero by 2030
- A secure North Tyneside
 - We will continue to invest £2m per year in fixing our roads and pavements.

1.5 Information:

1.5.1 Background

A scheme involving the introduction of waiting and school keep clear restrictions in Hotspur North and some adjoining streets in the vicinity of Backworth Park Primary School was implemented on 5th June 2023 to address concerns amongst some residents regarding obstructive and indiscriminate non-residential parking in this area. A report regarding this scheme is included at Appendix 1.

The scheme was intended to prevent obstructive parking taking place particularly at the start and end of the school day thereby facilitating walking, cycling and wheeling as well as creating a safer environment for road users.

The scheme (which was introduced after consultation with residents) included the introduction of waiting restrictions and a number of no stopping (school keep clear) restrictions. It was agreed during the consultation that the school keep clear restrictions should operate Monday to Friday between 8.15 - 9.15am and 2.30 - 4.30pm to ensure that the affected areas would be kept clear of parked vehicles whilst pupils are arriving at or leaving the school. However, when the scheme was introduced, an error associated with the new TROs meant that the afternoon operating hours of these restrictions were incorrectly specified as "2.30 – 4pm" and this was reflected on the signs accompanying the restrictions. This error was brought to the attention of officers by residents who also reported that non-residential parking was occurring on the school keep clear markings between 4pm and 4.30pm. This was confirmed by officers during site observations.

It is now proposed to rectify this error by amending the TROs associated with the school keep clear restrictions so that their afternoon operating hours are between 2.30pm and 4.30pm as originally intended.

1.5.2 Proposal in relation to School Keep Clear Restrictions

It is proposed to amend the existing 'no stopping' (school keep clear) restrictions so that they would now apply Monday to Friday between 8:15 and 9:15am and 2:30 and 4:30pm at the locations as set out on the plan at Appendix 2.

It is anticipated that the proposal will facilitate sustainable trips to and from Backworth Park Primary School and improve safety for all road users at the end of the school day.

1.5.3 Consultation

Ward members were informed of the original scheme and have recently been updated on the proposed amendment.

Engagement on the previous scheme was carried out between October 2022 and January 2023, via an informal postal consultation with residents which included discussion specifically around the operating hours of the school keep clear restrictions. A statutory consultation exercise associated with the previous proposal was also carried out in February/March 2023. Four objections to the proposal were received and these were set aside after consideration by the Cabinet Member for Environment.

1.5.4 Proposed next steps

Proposals that restrict traffic movements are subject to statutory legal process as described in section 2.2: this includes the local authority giving public notice of the proposals and taking such other steps as it may consider appropriate for ensuring adequate publicity. In North Tyneside, this includes notices advertising proposals being displayed on affected streets and on the Authority's website. This enables members of the public or businesses to object to the proposal. Any objectors are sent a response and invited to reconsider their objection. Any objections not withdrawn are referred to the Cabinet Member for Environment for consideration in accordance with the Scheme of Delegation for Cabinet Members.

1.6 **Decision options:**

The following decision options are available for consideration by the Director of Regeneration and Economic Development:

Option 1

To approve the recommendations as set out in paragraph 1.2 above.

Option 2

Not to approve the recommendations as set out in paragraph 1.2 above.

Option 1 is the recommended option.

1.7 **Reasons for recommended option:**

Option 1 is recommended for the following reasons:

The proposal will discourage indiscriminate and obstructive parking thereby improving road safety for all road users at the end of the school day. It will also facilitate more sustainable trips to and from Backworth Park Primary School.

1.8 **Appendices:**

Appendix 1 Delegated Decision Report – Traffic Regulation Order – Waiting Restrictions, vicinity of Backworth Park Primary School, Backworth



DD Report - TRO
Backworth Park Prim

Appendix 2 Plan of scheme



Backworth Primary
School - Proposed P

Appendix 3 Equality Impact Assessment – Backworth Park Primary School Waiting Restrictions



Backworth Park
Primary EqIA.pdf

1.9 Contact officers:

Nick Saunders, Senior Traffic Engineer, Capita, 0191 643 6598
Andrew Flynn, Integrated Transport Manager, 0191 643 6083

1.10 Background information:

- (1) [North Tyneside Transport Strategy](#)
- (2) [North Tyneside Parking Strategy](#)
- (3) [Road Traffic Regulation Act 1984](#)
- (4) [Local Authorities' Traffic Orders Regulations 1996](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Funding to advertise and implement the proposal is to be provided by the landowner as the streets concerned remain unadopted.

2.2 Legal

Proposals that involve revocations or amendments to existing traffic regulation orders and any new such orders 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.

The order making Authority is required to publish at least one notice detailing the proposal in a local newspaper in addition to taking such other steps as it deems appropriate for ensuring adequate publicity is provided. Authorities are also required to make documents relating to the proposal available for public inspection. In North Tyneside, in addition to being advertised in a local newspaper, notices advertising the proposal are displayed on the Authority's website and on roads affected by the order. Documents relating to the proposal are also available for public inspection at the Authority's offices at Quadrant. Objections to the proposal may be made within a period of 21 days starting from the date the notice was published.

In accordance with the Authority's scheme of Delegation to Cabinet Members, if any objections cannot be resolved, then the Cabinet Member for Environment is asked to consider those objections made and not withdrawn and to determine the Traffic Regulation Order.

Within 14 days of the making of the Traffic Regulation Order, the order making authority must notify any objectors, publish a notice of making in a local newspaper and take such other steps as it deems appropriate for ensuring adequate publicity is given to the making of the order. In North Tyneside, in addition to being advertised in a local newspaper, notices of making are displayed on the Authority's website and on roads affected by the order. Documents relating to the order are also available for public inspection at the Authority's offices at Quadrant.

2.3 Consultation/community engagement

2.3.1 Internal consultation

Internal consultation on the original proposal involved the Cabinet Member for Environment. Ward members' views on the original and amended proposals were sought as described in section 1.5.3.

2.3.2 Community engagement

Views on the proposal were sought as described in section 1.5.3. The proposal is to be advertised in line with statutory process as set out in section 1.5.4.

2.4 Human rights

Any human rights implications must be balanced against the duty that the Authority has to provide a safe highway for people to use. It is not considered that the proposed restrictions will have a negative impact on individual's human rights.

2.5 Equalities and diversity

An Equality Impact Assessment for the parking restrictions at Backworth Park Primary School has been undertaken and is attached as Appendix 3 to this report. This identifies positive potential impacts: these relate to improved accessibility for people who currently experience difficulty negotiating footways and crossing the road. Actions are specified to

reduce the potential negative impact relating to access arrangements during construction work.

2.6 Risk management

There are no risk management implications arising directly from this report. Strategic and operational risks associated with transport matters are assessed via the established corporate process.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are potential positive implications in that the proposals support the use of more sustainable modes of transport in preference to car use. The proposals therefore support the target within the Carbon Net-Zero 2030 Action Plan to reduce car-based school trips.

PART 3 - SIGN OFF

- Chief Finance Officer
- Monitoring Officer
- Assistant Chief Executive